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NATO's Experience of Supporting Security Sector Reform in the Western Balkans (1995-2015)

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This thesis is submitted in partial fulfilment of the requirements for an award of the degree of Doctor of Philosophy

Supervised by Professor Trevor Taylor

October 2017

ABSTRACT

This thesis has considered the theoretical and practical underpinning of SSR and NATO's role in its application within two countries of the Western Balkans. It began by reviewing the extant literature on SSR and then analysed NATO's evolution and how it developed its role in assisting countries with reform of their security sectors in the aftermath of the Cold War. Unlike organisations such as the UN and EU, NATO does not have a formal policy and conceptual framework for Security Sector Reform (SSR) but uses a range of interlocking programmes that have evolved over time. The thesis examined critically NATO's interventions in both Bosnia-Herzegovina and Kosovo and how that role transformed from being a security provider to one of advising and mentoring on reform of the security sectors. A comparative analysis was then conducted of the cross-case data presented in the two case studies.

The research has reinforced the reality that different actors with different agendas will inevitably complicate an already challenging situation in post-conflict and post-authoritarian countries. It became evident that national agendas within the North Atlantic Council also influenced the Alliance's ability to support SSR in the two countries studied. Through a combination of both primary and secondary research the study has established that NATO still managed to add considerable value to these reform processes and has the potential for doing so in the future in other countries. There were limitations to its approach and these have been highlighted. At times NATO's contextual understanding of the situation on the ground was weak and its use of political soft power to encourage the reforms in the countries studied was eclectic but, ultimately, it has had a measure of success in its endeavours.

The research has generated a framework of factors for NATO to use when considering current and potential SSR engagements. As NATO becomes more deeply involved in projecting stability through SSR support after a decade of war fighting, this list of factors could have international significance.

ACKNOWLEDGEMENTS

First and foremost, I would like to express my sincere gratitude to all those who participated in the research for this thesis, especially those who gave so freely of their time to be interviewed. The insights they provided on NATO's role in supporting security sector reform in the Western Balkans have added much richness to the final product. Thanks are also due to my supervisor, Professor Trevor Taylor, to Dr Bryan Watters and Dr Charles Kirke of my thesis committee, and to Mrs Bella Platt who transcribed many hours of interviews. Finally, I owe a particular debt of gratitude to my family, especially Diane and Kathy – one for helping me start the project and the other for helping me finish.

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LIST OF ACRONYMS AND ABBREVIATIONS

A

AAK	Alliance for the Future of Kosovo Party (*Aleanca për Ardhmërinë e Kosovës*)
ACO	Allied Command Operations (formerly SHAPE)
AFBiH	Armed Forces Bosnia Herzegovina (*Oružane Snage Bosne i Hercegovine*)
AKR	New Kosovo Alliance *(Aleanca Kosova e Re)*
ANA	Afghan National Army
ANP	Annual National Programme (NATO)
ANSF	Afghan National Security Force
APM	Association for Project Management
ASEAN	Association of South East Asian Nations
AU	African Union
AUS	Advisory Unit on Security, UNMIK

B

BiH	Bosnia and Herzegovina *(Bosne i Hercegovine)*

C

CARDS	Community Assistance for Reconstruction, Development and Stabilisation
CAQDAS	Computer Assisted Qualitative Data Analysis
CCK	Coordination Centre for Kosovo
CCMOC	Comprehensive Crisis and Operations Management Centre
CEE	Central and Eastern Europe
CFSP	Common Foreign and Security Policy
CIMIC	Civil-Military Cooperation (NATO)
CMR	Civil Military Relations
COE	Council of Europe
COMKFOR	Commander NATO Kosovo Force (KFOR)
COMKPC	Commander Kosovo Protection Corps (KPC)
COMNHQSa	Commander NATO Headquarters Sarajevo
COMNHQSk	Commander NATO Headquarters Skopje
COMSFOR	Commander Stabilisation Force
CSCE	Conference on Security and Cooperation in Europe
CSDN	Civil Society Dialogue Network
CSDP	Common Security and Defence Policy (EU)

D

DAC	Development Assistance Committee (usually referred to as the OECD-DAC)
DASG	Deputy Assistant Secretary General (NATO)

DCAF	Geneva Centre for Democratic Control of Armed Forces
DCB	Defence and Related Security Capacity Building
DDR	Disarmament, Demobilisation and Reintegration
DFID	Department for International Development (UK)
DIRI	Defence Institutional Reform Initiative (US)
DPA	Dayton Peace Accords
DPC	Democratization Policy Council
DPKO	Department of Peacekeeping Operations (United Nations)
DPP	Defence Planning and Policy Division (NATO)
DRC	Defence Reform Commission
DSACEUR	Deputy Supreme Allied Commander Europe (NATO)
DSC	Department for Security Cooperation
DSE	Deputy Special Envoy
DSRSG	Deputy Special Representative of the Secretary General (UN)

E

EADRCC	Euro-Atlantic Disaster Response Coordination Centre (NATO)
EAPC	Euro-Atlantic Partnership Council (NATO)
EAR	European Agency for Reconstruction
EAPWP	Euro-Atlantic Partnership Work Programme (NATO)
EC	European Commission
ECHR	European Court of Human Rights
ECJ	European Court of Justice
EfR	Education and Training for Defence Reform Initiative
EOD	Explosive Ordnance Device
e-PRIME	Partnership Real-time Information and Management Exchange system
EPLO	European Peacebuilding Liaison Office (EU)
ESDP	European Security and Defence Policy (EU)
ESS	European Security Strategy (EU)
EU	European Union
EULEX	European Union Rule of Law Mission
EUMS	European Union Military Staff
EUPT	EU Planning Team for Kosovo
EUSR	EU Special Representative

F

FASWG	Future Arrangements Security Working Group
FBiH	Federation of Bosnia and Herzegovina (*Federacija Bosnia i Hercegovina)*
FCAS	Fragile and Conflict Affected States
FCO	Foreign and Commonwealth Office (UK)
FDI	Foreign Direct Investment
FRONTEX	European Agency for the Management of Operational Cooperation of the External Borders of Member States of the European Union

FRY	Federal Republic of Yugoslavia
fYROM	former Yugoslav Republic of Macedonia

G

GFAP	General Framework Agreement for Peace (BiH) (also known as DPA)

H

HCA	Helsinki Citizens Assembly
HDZ	Croatian Democratic Union *(Hrvatska Demokratska Zajednica)*
HN	Host Nation
HQ	Headquarters
HoSG	Heads of State Government (NATO)

I

IBM	Integrated Border Management
IC	International Community
ICG	International Crisis Group
ICI	Istanbul Cooperative Initiative
ICISS	International Commission on Intervention and State Sovereignty
ICO	International Civilian Office
ICR	International Civilian Representative
ICTY	International Criminal Tribunal for the former Yuglosavia
IEBL	Inter-Ethnic Boundary Line
IFOR	Implementation Force (NATO) (Forerunner of SFOR)
IGO	Inter-Governmental Organisation
IMF	International Monetary Fund
IMP	International Military Presence
IMS	International Military Staff (NATO)
IOC	Organization of Islamic Conference
IOs	International Organisations
IOM	International Organisation for Migration
IPA	Instrument for Pre-accession (EU)
IPAP	Individual Partnership Action Plan (NATO)
IPP	Individual Partnership Programme (NATO)
IS	International Staff (NATO)
ISAF	International Security and Assistance Mission (NATO)
ISC	ISSR Steering Committee
ISG	International Steering Group
ISSAT	International Security Sector Advisory Team (DCAF)
ISSR	Internal Security Sector Review (Kosovo)
ITPs	Instructions to Parties (BiH)

J

JFC Naples	Joint Forces Command Naples (NATO)
JIC	Joint Implementation Commission (NATO)
JNA	Yugoslav National Army *(Jugoslavenska Narodna Armija)*
JMA	Joint Military Affairs (NATO)
JMC	Joint Military Commission (NATO)
JWDGR	NATO-Ukraine Joint Working Group on Defence Reform

K

KAF	Kosovo Armed Forces
KCSS	Kosovo Centre for Security Studies
KDF	Kosovo Defence Force
KdF	Kraft durch Freude
KEK	Kosovo Energy Corporation *(Korporata Energjetike e Kosovës)*
KFOR	Kosovo Force (NATO)
KIA	Kosovo Intelligence Agency
KIKPC	KFOR Inspectorate for the Kosovo Protection Corps (NATO)
KIPRED	Kosovo Institute for Policy Research and Development
KLA	Kosovo Liberation Army
KP	Kosovo Police
KPC	Kosovo Protection Corps
KPS	Kosovo Police Service (forerunner to KP)
KVM	Kosovo Verification Mission OSCE
KSC	Kosovo Security Council
KSF	Kosovo Security Force

L

LDC	Less Developed Countries
LDK	Democratic League of Kosovo Party *(Lidhja Demokratike e Kosovës)*
LMT	Liaison and Monitoring Team (NATO)
LSE	London School of Economics

M

MAP	Membership Action Plan (NATO)
MAT	Ministry Advisory Team (NATO)
M&E	Monitoring and Evaluation
MBO	Muslim Bosniak Organisation *(Muslimanska Bošnjačka Organizacija)*
MC	Military Committee (NATO)
MCAD	Military Civilian Advisory Division (NATO)
MCD	Military Cooperation Division (NATO)
MD	Mediterranean Dialogue (NATO)
MDG	Millennium Development Goals (UN)

MDMP	Mediterranean Dialogue Military Programme (NATO)
MMA	Mentoring, Monitoring and Advising
MNE	Multi-National Experiment (NATO)
MOU	Memorandum of Understanding
MoD	Ministry of Defence
MoD UK	Ministry of Defence (UK)
MPRI	Military Professional Resources Inc (US)
MTA	Military Technical Agreement (also known as the Kumanovo Agreement)
MUP	Ministry of Interior Police (Serbia) *(Ministarstvo Unutrašnjih Poslova)*

N

NAC	North Atlantic Council (NATO)
NACC	North Atlantic Coordination Council (NATO)
NAT	NATO Advisory Team
NATO	North Atlantic Treaty Organisation
NCO	Non-Commissioned Officer
NCS	NATO Codification System
NETF	NATO Education and Training Facilities
NGO	Non-Governmental Organisation
NHQSa	NATO Headquarters Sarajevo
NHQSk	NATO Headquarters Skopje
NLA	Albanian National Liberation Army
NLAT	NATO Liaison and Advisory Team
NSC	National Security Council
NSP	National Security Policy
NSS	National Security Strategy
NTM-I	NATO Training Mission - Iraq
NTM-A	NATO Training Mission - Afghanistan

O

OCC	Operational Capability Concept
ODIHR	Office of Democratic Institutions and Human Rights (OSCE)
OECD	Organisation for Economic Cooperation and Development
OECD-DAC	Organisation for Economic Cooperation and Development – Development Assistance Committee
OEF	Operation Enduring Freedom (US)
OFA	Ohrid Framework Agreement
OFSTED	Office for Standards in Education, Children's Services and Skills
OHR	Office of the High Representative (Bosnia-Herzegovina) *(BiH)*
OKPCC	Office of the KPC Coordinator (UNMIK)
ORA	Reformist Party ORA *(Partia Reformiste ORA)*
ORF	Operational Reserve Force (NATO)
OSCE	Organisation for Security and Cooperation in Europe
OSCE DSC	OSCE Department for Security Cooperation (BiH)

P

PAP-DIB	Partnership Action Plan – Defence Institution Building (NATO)
PAP-T	Partnership Action Plan Against Terrorism (NATO)
PARP	Planning and Review Process (NATO)
PASP	Political Affairs and Security Policy Division (NATO)
PCC	Partnership Cooperation Cell
PDK	Democratic Party of Kosovo *(Partia Demokratika e Kosovës)*
PDSRSG	Principal Deputy Special Representative of the Secretary General
PfP	Partnership for Peace (NATO)
PIC	Peace Implementation Council (BiH)
PISG	Provisional Institutions of Self-Government (Kosovo)
PME	Politico-Military Estimate (NATO)
PMF	Politico-Military Framework
PoC	Protection of Civilians
POLAD	Political Adviser
PPA	Participatory Poverty Assessment
PRSP	Poverty Reduction Strategy Paper
PRT	Provincial Reconstruction Team
PSC	Political and Security Committee (EU)
PSF	Private Security Firm
PSO	Peace Support Operations
PSOTC	Peace Support Operations Training Centre

Q

QUINT	Consultative Group of 5 Western countries (France, Germany, Italy, UK, USA)

R

RACVIAC	Regional Arms Control Verification and Implementation Assistance Centre
RS	*Republika Srpska* (The English translation of RS is not used)
RUSI	Royal United Services Institute
R2P	Responsibility to Protect

S

SAA	Stabilisation and Association Agreement
SACEUR	Supreme Allied Commander Europe (NATO)
SALW	Small Arms and Light Weapons
SAP	Stabilisation and Association Process (EU)
SCMM	Standing Committee for Military Matters
SCR	Senior Civilian Representative (NATO)
SDA	Party of Democratic Action (BiH) *(Stranka Demokratske Akcije)*
SDS	Social Democratic Party (BiH) *(Socijal Demokratska Partija)*

SE	Special Envoy (UN)
SECI	South East European Cooperation Initiative
SEE	South East Europe
SEECP	South East European Cooperation Process
SEESAC	South Eastern Europe Clearing House for the Control of Small Arms and Light Weapons (UNDP)
SFOR	Stabilisation Force (NATO)
SFRY	Socialist Federal Republic of Yugoslavia *(Socijalistička Federativna Republika Jugoslavija)*
SHAPE	Supreme Headquarters Allied Powers in Europe
SIDA	Swedish International Development Cooperation Agency
SITCEN	Situation Centre
SNGP	Substantive NATO-Georgia Package
SNS	Serbian Progressive Party (Serbia) (*Srpska Napredna Stranka)*
SNSD	Alliance of Independent Social Democrats (BiH) *(Savez Nezavisnih Socijal Demokrata)*
SOFA	Status of Forces Agreement
SOP	Standard Operating Procedures
SRSG	Special Representative of the Secretary General (UN)
SSAJ	Safety, Security and Access to Justice
SSDAT	Security Sector Development Advisory team (UK Government)
SSG	Security Sector Governance
S&JSR	Security and Justice Sector Reform
SSM	Security Sector Management
SSR	Security Sector Reform
SST	Security Sector Transformation
SSSR	Strategic Security Sector Review
SU	Stabilisation Unit (UK)

T

TCP	Tailored Cooperation Programme (NATO)
TEEP	Training and Education Enhancement Programme (NATO)
TERP	Telecommunications Emergency Reconstruction Programme (NATO)
ToC	Theory of Change
TRFs	Technical Resource Facility

U

UK	United Kingdom
UN	United Nations
UNDP	United Nations Development Programme
UNPROFOR	United Nations Protection Force
UNHCR	United Nations High Commissioner for Refugees
UNMIK	United Nations Mission in Kosovo
UNOSEK	United Nations Office of the Special Envoy of the Secretary General for the Future Status Process for Kosovo

UNRRA	UN Relief and Rehabilitation Administration
UNSC	United Nations Security Council
UNSCR	United Nations Security Council Resolution
US	United States of America
USA	United States of America
USAID	United States Agency for International Development
USIP	United States Institute of Peace
USNSC	United States National Security Council
USSR	Union of Soviet Socialist Republics

V

VF	Army of the FBiH *(Vojska Federacije Bosne i Hercegovine)*
VRS	Army of the RS *(Vojska Republike Srpska)*

W

WEU	Western European Union
WFP	World Food Programme
WGS	Working Group on Security (Kosovo)
WHO	World Health Organisation
WMD	Weapons of Mass Destruction

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CHAPTER 1

INTRODUCTION

> "It is all very well trying to create a secure environment – as we have in Kosovo – but if that environment isn't sustainable over the long term, then the blood and treasure we expend is wasted. That is where work on **security sector reform** and democratic control of the armed forces, among many other things, comes in."
>
> NATO Deputy Secretary General Alexander Vershbow[1]

BACKGROUND TO THE STUDY

During the past twenty-five years the North Atlantic Treaty Organisation (NATO) has used its position as the predominant security Alliance in assisting countries reform their security sectors, not just in Europe but further afield in both the Middle East and Central Asia. In view of the importance of Security Sector Reform (SSR) to these various missions, it seems intriguing that NATO has never developed a formal doctrine or policy framework for the concept. One scholar has suggested that whilst NATO has embraced SSR, it has been in the manner of Molière's Monsieur Jourdain, where it speaks "…the prose of SSR without actually realising it." (Haglund 2008:110) Notwithstanding the lack of any doctrine on SSR, several scholars and practitioners have suggested that Alliance still appears to have had a measure of success in its endeavours. (eg Law 2008:14-15; Maxwell & Olsen 2013:99; and Yost 2014:13-18) This would seem to suggest that this is a suitable subject for further and more detailed research.

This introduction seeks to set out briefly the research context for the inquiry, covering NATO's adaptation in a changing security environment, the emergence

[1] Speech at International Security Forum Geneva on 13 June 2016 entitled: "An Alliance For Our Times: NATO and its Partners in a 'World Disrupted'." Emphasis added. (NATO 2016)

of the SSR concept and some preparatory remarks on NATO's approach to SSR. The research question and aim are clarified and they are followed by the research objectives and the significance of the study. The historical context for the Western Balkans is provided through a brief historical review of the region. Finally, the Chapter concludes with the organisation and structure of the thesis.

RESEARCH CONTEXT

Security and a Changing Security Environment

The denouement of the Cold War brought about immense change. Previously rigid strategic viewpoints were revised. Defence budgets were dramatically cut across Europe. In his original article, *The End of History* (1989) Fukuyama grappled with some of the political changes and, with the collapse of communism, predicted the passing of the 'Hegelian dialectic'[2] where:

> "... history culminated in an absolute moment -- a moment in which a final, rational form of society and state became victorious." (1989:2)

Subsequent events in the Middle East and a resurgent Russian Federation's interventions in Georgia and Ukraine have shown that this rather Utopian view had definitely not come to pass. Nonetheless, as Kaplan (2004:110) argued, the end of the Cold War called into question the way international security was provided and, in particular, the future role of NATO. In the early 1990s scholars struggled to obtain a better intellectual understanding of the new security environment and the sources of insecurity. Keohane suggested that the new security environment, where the terms ‘risks’ and ‘challenges’ replaced the Cold War term ‘threats’, helped to explain the transformation of NATO (2002:107). In time, it became clear that soft security was as important as hard security, and a clear understanding of the environment could only be achieved if a holistic and interdisciplinary perspective of security was taken. (eg Clarke 1993:xi-xii, Picciotto 2006:8-9 and 15, and Renner 2006:112) This acceptance of a more

[2] Kaplan (2004:109), amongst others, used this term.

holistic approach to security (and insecurity) sowed the intellectual seeds for NATO's subsequent evolution as a security provider, as well as the over-arching approach to SSR.

A key change that also became apparent during this period was the perception of security and its link to development. Previously "... the terms 'defence' and 'security' were nearly synonymous." (Trapans 2002:21) A focus on territorial defence with large standing armies, a single predominant threat, and hard lines of confrontation epitomised the geo-strategic situation during the Cold War. This has ceased to be the case. For many countries around the globe, "...security is primarily measured in non-military terms and threats to security are non-military in nature." (Donnelly 2004b:27) Both Edmunds (2006:1063) and Omand (2010:19) noted this shift away from collective defence to a broader sense of security allied with governance. A contributor to the Organisation for Economic Cooperation and Development (OECD)'s thinking and policy papers[3] from the late 1990s onwards, Alan Bryden, has also emphasised the linkage between security and governance. (2008:68-69) This has translated into a generally agreed recognition that security is essential for sustainable development (Duffield 2007:8), which has been reflected in the approaches of both politicians and scholars For example, in 2004, the UK's Secretary of State for Development said at a conference: "... development without security is not possible; security without development is only temporary." (Benn 2004) This security-development nexus has also been echoed by Chalmers (2008:2):

> "In the post-Cold War world, the close interdependence of security and development agendas is even more apparent. Two-thirds of the countries least likely to meet the UN's Millennium Development Goals for poverty reduction have experienced armed conflict during 1990-2005. This correlation is not surprising. Conflict has direct and often highly damaging consequences for economic and

[3] Strictly speaking it is the OECD Development Assistance Committee (DAC) that is responsible for development and SSR issues. The OECD DAC comprises thirty member-states including the majority of the largest development funders. The IMF, World Bank and UNDP also have observer status on the DAC. For the purposes of simplification, however, the term used throughout this thesis will be OECD rather than the full title of OECD-DAC.

> human development. Some of the most severe development reversals of the last three decades […] are a result of long and damaging wars."

Events at the World Trade Center in America on 9 September 2001 marked yet another change in the perception of security. Michael Howard (2008:248-249) argued that this attack "... was in some ways even more epoch-making than the development of nuclear weapons." He suggested that there was a sudden realisation that a small determined group, with none of the usual resources, and owing no state its allegiance, could significantly harm the most powerful nation in the world, and effectively end the 300 year 'Westphalian Epoch'. In reality the epoch was already being challenged not only by so-called humanitarian interventions like that into Kosovo in 1999 (effectively setting a limit on non-interference within sovereign states), but also by countries voluntarily ceding elements of sovereignty to join multi-lateral organisations like NATO.

Howard also argued that great power rivalry would seem to be less threatening than hitherto and, with rather more prescience, that whilst the security threats posed by small states with ill-defined borders and ethno-nationalist tendencies (eg Nagorno-Karabakh) were still possible, it seemed to him that the largest cause of insecurity was:

> "... from the inability [or lack of willingness] of weak states to exert control either over their own citizens or over highly volatile regions where no effective writ runs; and this weakness creates threats of disorder with which traditional military power has shown itself ill-adapted to deal." (2008:251-252)

Not only is Afghanistan such an example but Somalia, Yemen and Syria are also centres of insecurity created in part by al-Qaeda[4] and now by *Daesch.*[5] This does not necessarily support Huntington's *Clash of Civilizations* theory (1997), but could be more directly attributable to the existence of failed and

[4] See: *Beyond Af-Pak: The War Against al-Qaeda in Yemen and Somalia*, dated 19 April 2010. Available at: http://www.foreignpolicyi.org/node/17006 [Last Accessed 5 July 2016].

[5] *Daesch* is an Arabic acronym for the Islamic State of Iraq and the Levant (ISIL), which Western governments now tend to use. (In full: *al-Dawla al-Islamiya al-Iraq al-Sham).*

failing states and the globalisation of threats. (Coker 2002; Dannatt 2009:7; Hoeffler 2010:2-3) In defining state failure/fragility, Stewart and Brown (2009:2-4) differentiate between three dimensions that are all linked causally: authority failures; service entitlement failures; and legitimacy failures. Security and insecurity have a direct impact in all three areas.

The spread of Weapons of Mass Destruction (WMD) has been a security concern for a number of years and, as evinced by the UK's 2010 Strategy Review and NATO's 2010 Strategic Concept, these concerns have only increased in the past decade. The continuation of North Korea's ballistic missile programme has also caused concern well beyond its regional neighbours. Other non-conventional threats from terrorism, inequality, cyber-attacks, transnational crime, piracy and energy supply remain the focus of attention of both nations and multinational organisations.

Events in Saharan Africa and the Middle East should also be noted. Since the Second World War democratic, constitutional regimes have appeared at regular intervals in most areas of the globe but with the notable exception of these two regions. As the widely respected American Historian, Rashid Khalidi, points out:

> "All that has seemed to thrive in recent years in this vast zone of undemocratic governance stretching from the Atlantic to the Caucasus and the frontiers of Pakistan and Afghanistan have been autocracies, kleptocracies, absolute monarchies, and other forms of despotic and authoritarian rule, some covered with the fig-leaf of sham 'democratic' forms." (2009:159)[6]

Although the so-called 'Arab Spring' has been stuttering along for several years now, Burnell argues that it is still too early to be certain how events will unfold in these regions. Nonetheless, perceived and real failures of legitimacy, services

[6] He does note the exceptions of Turkey and Israel, although he suggests that they too have their limitations. Indeed, the rising tide of Syrian refugees in Turkey in 2015, a resumption of the fighting with Kurdish separatists and the increasing authoritarianism of the state do not bode well for democracy in that country.

and authority will ensure that the threat of instability remains present in these areas for the foreseeable future. (2013:852-853) For several years now uncontrolled migration has supposedly been at the top of the European Union's (EU) policy-making agenda (Ceccorulli 2009) but the 2015 migrant flows from the Middle East through the Western Balkans route would seem to have demonstrated the EU's impotence to manage the situation.[7] The EU's concern was originally focused on whether security and stability within the Union could be assured if there was insecurity at its edge. More recently it has shifted to the security implications of *Daesch* members being inserted into the flow of refugees and to the ability of member states to accommodate the numbers currently arriving in countries like Greece and Germany. These types of security threats have variable geometry and are not always open to rational methods of resolution.

Alongside some of these asymmetric threats, perhaps the most intriguing development in the security environment since 2008 has been "... the return to big power politics ..." (Lindley-French 2015:128) First, Russia's brief conflict with Georgia, its annexation of Crimea in 2014 and the subsequent 'non-linear' support to pro-Russian rebels in Eastern Ukraine have all served to create a palpable sense of unease on the fringes of Europe. The shooting down of Malaysian Airlines MH17 over Eastern Ukraine in July 2014 has only exacerbated tensions. (*Ibid*:127-134) The Baltic states have long viewed the Russian Federation as their paramount threat and thus their support for NATO's Article 5 guarantee has been unswerving. Second, China's aggressive reclamation of land in the South China Sea has caused concern amongst all of its neighbours, not least Japan and the Philippines.[8] The American strategic shift in 2010 to the Asia-Pacific region has been well documented and, in large

[7] The European Security and Defence College has been an honourable exception within the EU when it published a handbook entitled *Migration – How CSDP Can Support* (Biscop & Rehrl 2016) that sought to capture some of the key ways that the EU could tackle and coordinate its responses to the migration issue.

[8] New York Times, *What China Has Been Building in the South China Sea*, dated 27 October 2015. Available at: http://www.nytimes.com/interactive/2015/07/30/world/asia/what-china-has-been-building-in-the-south-china-sea.html?_r=0 [Last accessed 25 July 2016].

measure, has been in response to the latter two strategic concerns. (Yost 2014:368-370)

In bringing this brief review of the new security environment to a close, it is worth referring to Freedman (2010:247-250), who suggests that there are three overarching variables in this new security era: international order and stability; state security; and justice and equity. The priority and balance of effort depends upon the worldview of individual actors and over time. Hence in Europe the focus seems still to be on international order, where concerns in the US on homeland security would seem to be on state security, whereas both Europe and the US have an increased focus on human rights, both as a result of civil rights activism as well as an increasing focus on 'human security'.[9] Picciotto (2006:8-9) believes that it is the toxic mixture of failed states, inequalities, terrorism and humanitarian crises where the security providers will now need to focus their attention. Events on the borders of Russia and in the Pacific might well contradict that view, but only time will tell. The next section briefly examines the main Western security providers but with an emphasis on NATO.

Security Providers

With the ending of the Cold War, there were many commentators on both sides of the Atlantic, who declared that NATO had lost its *raison d'être* as a security provider. (De Santis 1991:51; Delors 1994) They looked to multilateral organisations like the UN and the Western European Union (WEU) as the natural successors to NATO in a multi-polar world. UN peacekeeping missions rose sharply in the early 1990s and the success (albeit with limited objectives) of the UN-mandated mission to eject Iraqi forces from Kuwait in 1991 seemed to put the seal on the new arrangements. In 1992 the member states of the WEU agreed to undertake, when authorised by the EU or the WEU, the so-called Petersberg tasks, which were "... military tasks of a humanitarian,

[9] 'Human security' will be covered in more detail in Chapter 2.

peacekeeping and peacemaking nature." (European Commission 1992) These were designed to be at the more benign end of the security spectrum with NATO still holding responsibility for peace-enforcement and collective defence. (Whitman 2004:433-434)

Of course world events were much more complicated than that. During the first Gulf War in 1990-91 the so-called 'coalition of the willing' drew heavily upon NATO members and NATO doctrine. This led Kaplan (2004:112) to suggest that "NATO's virtual representation in the Gulf War reinvigorated the alliance and pointed to roles that it might occupy in the future. In other words, a case may be made for the war serving as a life preserver for the alliance." Within a few short years the UN then became bogged down in Bosnia Herzegovina (BiH) and had to request NATO air power and then again for NATO to enforce the Dayton Peace Accords (DPA) at the end of 1995. In addition, as Garnett points out:

> "The 1990s have taught us [...] that international politics, like life, is one [...] thing after another. No sooner has one conflict evaporated than our attention is focused on new sources of tension - in Eastern Europe, the former Soviet Union, the Balkans, the Middle East, and parts of the Third World too numerous to mention." (1996:3)

NATO took all these in its stride and began a period of transformation that remains ongoing. As former-NATO Secretary General George Robertson opined "... [b]ehind this transformation lay the conviction that NATO was not just a temporary Cold War creation designed by necessity to deter Russian power."[10]

Perhaps the most noteworthy aspects of NATO's changing role as a security provider has been its transformation from a static and geographically limited military tool to being a global projector of force with both hard military tools and

[10] Foreword to Asmus 2002:xvi.

soft political tools (Shea 2010:15-33), not just willing to respond but ready to act pre-emptively if required. An inherent aspect of this transformation has been a reliance on different partners from around the world from South Korea, to Australasia, to Argentina. (Edström *et al* 2011) During a discussion on the 'Comprehensive Approach' in 2010, a NATO panel of experts postulated that:

> "... [it] is not about hierarchy but about recognising that security has military, political, economic and social dimensions. It follows, therefore, that building security will often require working with an effective mix of partners to piece together the diverse elements of a single shared strategy." (NATO 2010f:22)

The removal of the existential threat of the Cold War has posed many questions about NATO's future role as a security provider. Whilst the Alliance's interventions since 1990, in BiH (1995) through to Libya (2011), would suggest a continued willingness and a readiness to act, the implicit question of 'what next' still remains. (Laity 2012:53-58) The experience that NATO has gleaned from its role in assisting SSR might help, at least in part, to answer that question. Certainly its assistance to the PfP members on the fringes of Europe could be improved by gleaning the lessons from its support to countries in the Western Balkans over the past twenty years.

The EU's aspirations in the field of the Common Foreign and Security Policy (CFSP) and in Common Security and Defence Policy (CSDP)[11] are well documented.[12] For the purposes of this study it is sufficient to acknowledge the growing breadth and depth of the EU's contributions. It still remains broadly under the terms of the Petersberg tasks that were subsumed from the WEU at the Amsterdam Summit in 1997 but its reach is now global. The EU's and NATO's cooperation within 'Berlin Plus' has also achieved much success, although it has not been flawless. (Collantes & Juncos 2011:141-142) NATO has transferred two tactical missions to the EU: in the Republic of Macedonia (Operation CONCORDIA) in 2003 and BiH (Operation ALTHEA) in 2004. A

[11] Formerly European Security and Defence Policy (ESDP).
[12] For example, see: Whitman 2004 and Rieker 2013.

number of lessons were identified from the former and a number were then successfully incorporated into the field for the latter mission. (Rambke & Keil 2008:270) Nonetheless, cooperation between the two organisations at the political/strategic level in Brussels remained, and continues to remain problematic. (Lindley-French 2015:125; Yost 2014:255-256)

A notable feature of the past decade has been more active cooperation between a variety of security providers. Not just that mentioned above between NATO and the EU, but also NATO's assistance to the African Union (AU) in Somalia,[13] and the UN, NATO and EU in Afghanistan (Williams 2009:80-89). Scholars are also looking at how partners like the EU and Association of Southeast Asian Nations (ASEAN) might cooperate in both traditional and non-traditional security fields (Rees 2010). Although the AU and ASEAN are mentioned above, there are a number of other security organisations at both the regional and sub-regional level where cooperation has increased, but space and the limitations of the study prevent a more detailed treatment of their activities.

For some years there has been a realisation that most threats are transnational in nature and that state actors are generally unable to address them alone, even at the regional and sub-regional level, so cooperation and collaboration is essential. It is a point that is made most forcibly by Jones *et al* who stated that:

> "... neither regional nor coalition-based arrangements have yet shown that they alone can handle the scale and complexity of sustained, major security challenges without wider international engagement - as demonstrated by NATO's struggles in Afghanistan, the European Union's laborious deployments in Congo and the Central African Republic, the inaction of the Association of Southeast Asian Nations (ASEAN) on Myanmar, or the African Union's limited capacity in Sudan and the Horn of Africa." (2009:33)

[13] NATO, *NATO and the African Union Boost Their Cooperation*, dated 8 May 2014. Available at: http://www.nato.int/cps/en/natohq/news_109824.htm?selectedLocale=en. [Last Accessed 4 July 2016].

Specifically, the costs in both political and resource terms are normally too much for unilateral action. Furthermore, there is an undeniable air of legitimacy when allies act in concert, although as the political fallout from the coalition-of-the-willing intervention in Iraq in 2003 demonstrated, there will always be dissenting voices. Reaching agreement on both the threats and the appropriate responses between individual stakeholders may pose difficulties, but one only needs to look at the success that a regional organisation such as NATO has had in establishing strategic partnerships with disparate countries like Japan and Qatar[14] in order to see a growing trend in the future. They should therefore not be treated as a desirable activity for the NATO Alliance but an essential one that serves its interests to best effect.

In summary, most individual nation-states do not have the political clout nor are they able to afford the expense both in terms of finance or capability to act completely independently in the security arena. In addition, the issue of legitimacy looms large over any military intervention. It can thus be averred that formal regional and sub-regional security organisations still have a major role to play in countering the threats of the new security era and managing the risks. NATO remains at the forefront of these organisations with its core competencies and capital unmatched by any other in the security field. Its experience in supporting the reform processes in a variety of different countries has also been widely acknowledged.[15] The next section deals briefly with reform of the security sector both as a means of development as well as a means of countering the security threats and managing the concomitant risks outlined earlier in this Chapter.

The Emergence of the SSR Concept

This section will now discuss the emergence of the SSR concept. It was Nicole Ball (1990 [Original1988]), who first identified the need for a more holistic

[14] NATO, *Partners*, dated 11 November 2015. Available at: http://www.nato.int/cps/en/natolive/51288.htm [Last Accessed 4 July 2016].
[15] For example, see Jazbec (2007) and Shea (2010).

approach to development assistance within the security sector. The United Nations Development Program (UNDP) took this a stage further in 1994 and began to link the notions of democratising societies and good governance to human security programmes. (UNDP 1994) This chimed with the civil-military relations approach developed in the 1950s-1970s, which focused on the need for civilian direction and overall control of the armed forces (Chuter 2006:3) and which formed a major plank of the early 1990 reforms in Central Eastern Europe (CEE). (Forster *et al* 2002:1-15; Forster *et al* 2003:19-20) In the mid- to late-1990s the SSR agenda finally emerged from the shadows in both the development and security policy communities with an acceptance that there had been a "... widening and deepening of the concept of security ..." (Hänggi 2004:4) This was accompanied by a burgeoning recognition of the linkages between security and development. (Edmunds 2001:15) This security-development nexus has been discussed earlier in this Chapter[16] but it is worth recalling Ball's (2010:29) observation:

> " Somewhat surprisingly, the development assistance community, which had consistently avoided addressing issues related to security, and frequently justice, for much of the post-1945 period, came to champion the concept of SSR."

Whilst this development and governance strand was the major factor in the creation of the SSR concept, there were two other lines of evolution that formed its genealogy:

- the adoption by the OSCE of its 'Code of Conduct', which expanded the need for democratic control beyond the armed forces to include other areas of the security sector such as the intelligence services, the police and similar organisations (OSCE 1994); and,

[16] See section ‘Security and a Changing Security Environment’.

- the change in thinking about security from one that was primarily state-centric to a more people-centric approach (Kaldor 2007; Fell 2006; Welch 2006) as well as the increase in participatory poverty surveys that consistently identified security (and more specifically insecurity) as a significant concern for poor people. (Narayan 2000a:155)[17]

These various lines of evolution have spawned a succession of definitions of SSR that tended to reflect the worldview and interest of the originators. (Law 2007:17) A fuller analysis of the definitional debate will be included in Chapter 2 but for the purposes of this introductory Chapter, it is sufficient to draw attention to the work of the OECD and its 2007 definition of the objective of SSR that has achieved a measure of currency amongst scholars, policy-makers and practitioners (eg Beswick & Jackson 2015:161; European Commission 2016:2; and Mayer-Rieckh 2013:8-9):

> "The overall objective of international support to security system reform processes is to increase the ability of partner countries to meet the range of security and justice challenges they face, "in a manner consistent with democratic norms, and sound principles of governance and the rule of law", as defined in the *DAC Guidelines on SSR*. SSR helps create a secure environment conducive to other political, economic and social developments, through the reduction of armed violence and crime." (OECD 2007a:21)

Given the relatively recent birth the concept of SSR, it is hardly surprising that there has been some disagreement over both the constituent elements of the security sector as well as the term SSR itself. (Sedra 2009:2; Schroden & Norman *et al* 2014:168-170) Security 'System' Reform is favoured by the OECD (2007a) and Security 'Sector' Reform is favoured by others (eg Council of the EU 2005). There are also those, particularly in Africa, who view the term 'reform' as insulting and prefer 'transformation' or 'development', thus SST or SSD. (Ball *et al* 2004:5-7; Cooper & Pugh 2002:6-7) Nonetheless, there is a

[17] The World Bank's research under the mantle of the 'Voices of the Poor' was especially helpful in showing that physical insecurity was a significant barrier to the reduction of poverty.

general acceptance that these various definitions cover much of the same elements. For the purposes of this study the term used will be 'SSR' in order not to become overly distracted by an arcane debate on taxonomy.[18]

It was in the latter half of the 2000s that the underlying principles for supporting SSR (eg, local ownership, good governance, holistic approach etc)[19] were linked to specific areas of activity and then to specific instruments. There are still outstanding challenges relating to such areas as, *inter alia*, the role of capacity building (Nathan 2004), the difficulties of instilling local ownership when there is little local understanding of security concepts (Nathan 2007; Bendix & Stanley 2008a), introducing Whole of Government Approaches (WGA) (OECD 2007c),[20] the critical interface between SSR and stabilisation operations and their associated inter-dependencies (Fitz-Gerald 2010), and, perhaps the most difficult of all issues, the thorny question of how to measure success in SSR. (Sedra 2009:5-6)

Notwithstanding the transition of OECD's guidelines on *SSR and Governance* (OECD 2005a [Original 2004]) to the more operationalised *Handbook on SSR - Supporting Security and Justice* (OECD 2007a), there have been significant concerns over the translation of SSR policy into practical reform programmes and the way some donors still provide 'train and equip' programmes under the cloak of SSR. (Chuter 2009:1; Sedra 2009:2) This has led to a genuine concern over the lack of precision in applying the SSR concept in the field. The UK's Department for International Development (DFID) 2009 White Paper (DFID 2009) and Mark Sedra's edited volume on the future of SSR (Sedra 2010) have helped develop further understanding of the concept and practice of SSR, but, as Ball comments, it is still a "... work in progress." (2010:36) Nonetheless, there does appear to be an increasing coherence amongst the

[18] In so doing, the research is following the example of the United Nations in UNSCR 2151(2014): (UN 2014).
[19] Along the lines of the 'Paris Declaration on Aid Effectiveness' (OECD 2005c) and the 'Accra Agenda for Action' (OECD 2008f).
[20] Originally published on-line: (OECD 2006a)

major Intergovernmental Organisations (IGOs) [21] that support SSR. This issue, the principles of SSR, the definitional debate, and some of its current implementational challenges will be analysed in more detail in Chapter 2.

In summary, SSR remains an evolving and to some extent a contested concept, although it would appear to have immense potential for informing choices for both donors and for the countries undertaking the reforms. One of the major IGOs supporting the conduct of SSR is NATO and the next section provides a brief overview of its activities in this area.

NATO and SSR

NATO has been in constant flux since 1990. Its tasks have increased exponentially and a major area of continuous activity has been in the field of SSR. NATO has played a major role in supporting SSR initiatives and programmes, particularly in the Central and Eastern Europe and the Western Balkans. (Law 2007:3-7) It has used the Partnership for Peace (PfP) programmes in order to encourage reforms in governance for 'partners'[22] across the complete spectrum of their governments. In particular, the Membership Action Plan (MAP)[23] has been used to prepare countries for membership of the Alliance by encouraging them to drive forward their own reform agenda. (Law 2007:14; Morffew 2007:11-19) More recently NATO has been assisting the Government of Afghanistan in developing and reforming various elements of its security sector.[24] The results of this latter intervention, which has been

[21] Intergovernmental Organisations (IGOs) are generally defined to be "permanent bodies that states create to address matters entrusted to them and which result from international agreement between states." (Archer [2011] 2014:1-34 and Law 2007:1 and Footnote 1)[21] Archer specifically rules out those organisations that have been established to make a profit, so this thesis follows this approach.

[22] The term 'partner' has a specific meaning within NATO: allies refers to the 28 (soon to be 29) full members of the Alliance; partners are those with an alternative relationship such as membership of PfP or other formal relationship. A full list is at: NATO, *Partners*, dated 11 November 2015. Available at: http://www.nato.int/cps/en/natolive/51288.htm [Last Accessed 4 July 2016].

[23] Under the guidance of NATO's International Staff (IS) in Brussels. See Appendix 5 for a list of PfP tools and programmes.

[24] The former NATO Training Mission Afghanistan (NTM-A) assisted reforms for both the Afghan National Army and Afghan National Police. The residual mission, Op RESOLUTE

conducted with an on-going counter-insurgency operation, would appear to have been less successful than those in Eastern Europe. (Haglund 2007:117-118; Barley 2008:52-57; and Yalçinkaya & Arıkan 2009:73-76) It is not entirely clear, however, whether this is due to the lack of a Euro-Atlantic perspective, different levels of governance, cultural variations, the ongoing counter insurgency, a lack of coherence between the SSR mission and the stabilisation mission, a fundamentally different temporal framework or, as is suggested by Schroeder *et al*, that the SSR concept has limited applicability outside the 'OECD-world'. (2014:228) It is certainly an area where further research is needed.

There also seems to be an interesting policy dilemma within NATO as it assists countries with their reform agendas. As Morffew explains:

> "NATO's aim is to promote democratic control, transparency, the rule of law, accountability and informed debate, and to reinforce legislative capacity for adequate oversight of security systems. Partners are encouraged to seek advice on SSR through the many PfP tools currently in use." (2006:12)

It has thus developed a series of thematic programmes, which offer practical handrails to partner countries but these have evolved in a rather *ad hoc* manner rather than as a strategic thread. (Haglund 2008:110-117) Nonetheless, all of these types of reform fall neatly with the OECD SSR framework. (OECD 2007a:20-23) During the past decade most ministerial or Heads of State and Government (HoSG) meetings have publicly endorsed the priority of defence and security sector reform,[25] but a policy framework on SSR has eluded the Alliance so far. This is in stark contrast to other IGOs such as the EU (Council of EU 2005, EU 2016), the UN (UN 2008, UN 2013), and the OSCE (OSCE 1994 and 2016), which have developed their own conceptual approaches and guidelines.

SUPPORT, provides training and mentoring assistance. Further details are contained in Chapter 4.

[25] For example, NATO 2008 [paragraphs 31-32], 2011 [paragraphs 25-29, 33-35, 43] and 2014 [paragraphs 92-96].

Limited attempts have been made by NATO to develop such a concept, but there has been no consensus amongst the Allies for this approach.[26] NATO's contributions to defence and security reform in, for example, the Western Balkans have gained praise from scholars (eg Caparini, 2004:166-168; Jazbec 2007:76-78; and Collantes & Juncos 2011:135), but these contributions have tended to evolve in an eclectic fashion. The closest that NATO has come to a policy on SSR is the Defence and Related Security Capacity Building (DCB)[27] initiative that was announced at the Wales Summit in 2014:

> "Today we have decided to launch a Defence and Related Security Capacity Building Initiative to reinforce our commitment to partner nations and to help the Alliance to project stability without deploying large combat forces, as part of the Alliance's overall contribution to international security and stability and conflict prevention. The Initiative builds upon NATO's extensive expertise in supporting, advising and assisting nations with defence and related security capacity building." (NATO 2014:Paragraph 89)

Again, this is an initiative without any detailed substance of what it entails. Whilst this 'constructive ambiguity' might have some benefits at the political level in Brussels, it would seem to be a recipe for confusion at the field level. Notwithstanding this lacuna in official policy for SSR, there is still a concomitant and marked reluctance within NATO HQ Brussels to tackle the issue because of the perceived political sensitivities. It could reasonably be argued that NATO's role in assisting SSR (or the DCB) could still be enhanced if it was tackled in a more holistic manner and in concert with appropriate international partners, although the evidence to support such a claim would need to be adduced during this thesis. It is apparent that there are continuing, but informal discussions in

[26] NATO's IS explored drafting a policy paper in 2007 and this is covered in more detail in Chapter 4. See section entitled: 'NATO's Attempt at Producing a Policy on SSR'.
[27] It is worthy of note that even the abbreviation focuses on the word 'defence' rather that broader security issues that the initiative is designed to address.

NATO on the role of SSR,[28] both in NATO HQ Brussels and also in their other HQs, but this would not appear to be matched by much public debate.

In summary, since its early reform work in Eastern Europe and the Western Balkans, NATO's activities have expanded to include what is traditional SSR as well as non-traditional SSR (as part of so-called 'stabilisation and reconstruction' activities). As a result, SSR now provides both a policy and programmatic rationale for NATO's current and future activities, but the Alliance lacks any overarching conceptual or strategic framework that guides its actions in this area. In parallel, the phenomenon of SSR is itself still suffering from its own challenges. (Egnell & Halden 2010; Wingens 2016) For these reasons a study analysing NATO's experience in support of SSR would seem to be extremely timely.

RESEARCH PROBLEM

Focusing the Research Question

As explained earlier, the concept of security has changed considerably since the end of the Cold War, and so has NATO and the way it conducts its business. It has transformed from a defensive, geographical limited military alliance to the world's pre-eminent collective security alliance that projects power far beyond the Euro-Atlantic region. It has assisted a raft of countries in reforming their security sectors. NATO still has a collective defence role but also provides core competencies and expertise that no other such security organisation possesses. Some twenty-five years after first assisting countries from Eastern Europe with their process of reform and two decades after intervening in the Western Balkans, NATO has developed a variety of programmatic and thematic reform processes but has not overtly linked them to the holistic approach of SSR. Neither would NATO appear to understand fully

[28] Gleaned from interviews with senior NATO officers, Naples. Interviews N2, N3, N4.

the linkages, priorities and inter-dependencies that accrue in post-authoritarian and post-conflict SSR.

Although there has been some comparative analysis of NATO's approach to SSR with other IGOs (eg Law 2007) and some detailed analysis of NATO's work in a single country (eg Maxwell & Olsen 2013), there has been little substantive comparison of NATO's support in different countries, so that the similarities and the differences can be analysed in a meaningful way.[29] Whether the successes (and failures) of the countries of the Western Balkans in reforming their security sectors has been directly as a result of NATO's role or due to some other factor, and whether the same strides would have been made if the EU had acted alone in the absence of NATO are all open questions. Similarly, given that SSR is so context- and temporally-specific, is it possible to take experience from one country at one time and apply it elsewhere? The answers to these questions would not seem to be clear-cut.

The issue is further complicated due to two further factors that will need analysis. First is the contested nature of SSR and the lack of concrete examples of success and application of good-practice. (Egnell & Halden 2009:48; Wingens 2016:116) The second is the somewhat diffuse nature of NATO. The actions of NATO can be attributed to its existence as an IGO with its own institutional persona, but it can also be attributed to individual member states that may be following domestic practice or diktat under the NATO flag, or even consultants who are employed by NATO. These institutional issues give pause for thought.

Nonetheless, the tools that NATO has used throughout a region like the Western Balkans have been broadly the same and they seem to have worked (Morffew 2007; Caparini 2004; and Jazbeć 2004) but further evidence of this would need to be adduced. It should be possible to identify the role NATO

[29] An exception is a recent research thesis that examines NATO's role in influencing reforms in states from the former USSR and provides a comparative analysis of Armenia and Georgia. (Dzebisashvili 2016)

played in assisting SSR in individual country contexts, and then, by conducting a comparative analysis, it may be possible to fill the gaps in our current understanding and knowledge. Certainly a study that analyses NATO's role in assisting with SSR and evaluating that experience would be exceptionally timely, and may be able to inform NATO approach to its future strategic policy and its resultant engagements.

Further discussion on these points and the overall approach to the research strategy will be considered in more detail in Chapter 3. It would now be appropriate to consider the research question for this thesis.

The Research Question

Blaikie suggests that there are three main types of research questions: 'what', 'why' and 'how'. In general terms, the 'what' questions demand a descriptive answer, which is aimed at describing the characteristics and patterns of social phenomena; the 'why' seeks causes or reasons for such patterns; and the 'how' questions are concerned about change through the delivery of interventions and practical outcomes. (2000:60-65) He deliberately limited the number in order to focus the mind of the researcher but he clearly acknowledged that other scholars had other ideas. For example, Yin (2009:8-9) proposed seven questions, although his 'how many' and 'how much' questions could be considered a refinement of a 'what' question.

Taking the above explanation and applying it to this particular study, SSR is still a contested concept and thus it needs to be examined critically. There is some academic research into NATO's role in SSR but, as an organisation, NATO has no conceptual framework or set procedures for SSR.

This would seem to suggest much more than exploratory research and without rehearsing the discussion on the study methodology in Chapter 3, it would be sufficient at this stage to state that this is an analytical study. The research question would therefore need to be consistent with that overall thrust of such a

study. Thus, one could start from a description of 'what' role has NATO played in support of contrasting post-authoritarian and post-conflict countries conducting their SSR programmes; and then be more analytical in order to explain 'why' some of these interventions seemed to work whilst others did not; and, finally, one can speculate intelligently on 'how' this understanding of its recent experience could be used to inform similar engagements in the future. (Blaikie 2007:7-8)

For both practical and theoretical reasons it would also seem appropriate to place boundaries on the research study and thus make it more manageable. Given that NATO has supported reforms in all the countries of the Western Balkans, and that there is sufficient variety of context and progress, it would be possible to limit the study geographically to the Western Balkans. The contextual nature of the SSR would, however, also probably limit the application of any lessons from the Western Balkans to similar countries within the Euro-Atlantic area. Therefore, the scope of this study should also be limited to focusing on countries in the Euro-Atlantic region, where there is a prospect of membership of the NATO Alliance. NATO's first direct involvement with SSR in the Western Balkans was with BiH at the end of 1995 and this support has continued throughout the Region since then. Thus it would be appropriate to limit the timeframe of the study to the period 1995-2015.

This leads to the following research question:

> "What lessons can be drawn from NATO’s experience of supporting SSR in the Western Balkans (1995-2015) and can they be used in order to inform its approaches to current and future SSR engagements?"

Research Aim

The aim of this research is therefore to:

"Undertake an analytical review of NATO's experience of supporting SSR in the Western Balkans (1995-2015) in order to inform its approaches to future and current SSR engagements."

Research Objectives

The objectives for the research are:

1. To examine critically the modalities and protocols associated with SSR;

2. To use models of academic theory to analyse critically the role NATO has played in supporting SSR in the Western Balkans;

3. To understand where these engagements have worked and to identify the limitations of NATO's approach using a framework of SSR good practice; and,

4. To draw lessons from the experience of these interventions, which could be used to inform NATO's approach to current and future SSR engagements.

Having identified the research objectives, it would now be appropriate in the next section to link these to the significance of the study.

SIGNIFICANCE OF THE STUDY

The SSR literature is growing in size but, as discussed earlier in this Chapter,[30] the concept is still evolving and there remain differences in understanding of the concept by different actors. (Wingens 2016:109) This study therefore seeks to provide an update on the definitional debate, which includes the latest OSCE (OSCE 2016) and EU (EU 2016) principles and guidance for SSR. The

[30] See section entitled: 'The Emergence of the SSR Concept'.

researcher is not aware of other scholarly work covering these latter two conceptual frameworks.

Although NATO's Heads of State and Government documents and summit declarations consistently emphasise the importance of SSR to its current missions and tasks, there is little formal policy on the subject and even less specific guidance. (Haglund 2008:110; Maxwell & Olsen 2013; Busterud 2014:13) There is, however, much written on individual thematic programmes, which offer practical handrails for the practitioner but no policy framework.

The academic literature dealing specifically with NATO's role in SSR (as opposed to security assistance) is not extensive and, to date, there is no empirically based research that seeks to draw together any analysis of its role supporting individual countries of the Western Balkans with SSR in a comparative manner. This research is therefore original and will provide a clearer understanding of the reform issues encountered by NATO and the countries being supported, as well as the efficacy of NATO's interventions. It will then identify the implications for NATO's future engagements that will flow from the 2010 Strategic Concept. (NATO 2010b) This research will inform both the Alliance's policy and practice and will assist NATO in producing a coherent and workable approach to future engagements and possible improvements to existing ones.

THE WESTERN BALKANS

Whilst the starting point for the research question is NATO's intervention in the Western Balkans in 1995, it is inevitable that historical events will have conditioned the political, cultural and security situation that faced the countries of the region as well as NATO.[31] Even the salient myths from the past have

[31] Business studies are replete with references highlighting the need to understand the environment and most corporate and strategic analyses will start with some form of analysis of the environment and link it to the organisation's capability, culture and the expectations of the stakeholders. (Johnson & Scholes 1993:17-20) Similarly, there is considerable scholarly research into the importance of context in understanding the environmental factors that

resonance today. It was therefore appropriate that a brief historical section on the Western Balkans should be included in this Introduction.

The aim of this section is therefore to provide a broad historical canvas to situate the more detailed coverage in the case study chapters (Chapters 5 and 6) that begin with the conflict in BiH in1992. Although this section is delivered in a broadly chronological fashion, there are swathes of history and geography that are barely mentioned,[32] but certain key themes are dealt with in more detail.

First, the researcher needs to provide clarity on the geographical term used in the research aim: the Western Balkans. Glenny highlighted some of these difficulties when he referred to the Balkans as 'Turkey-in-Europe' (1999:xxiii). The *Encyclopaedia Britannica* (Danforth 2015) suggests that the term 'Balkans' includes all the countries that emerged from the former Yugoslavia, as well as Albania, Bulgaria, Greece, Moldova and Romania, although even this definition comes with caveats. Contemporary usage of the neologism 'Western Balkans' normally covers ex-Yugoslavia and Albania, and is the definition generally used by NATO,[33] and thus the definition used in this thesis.[34]

On 28 June 1989 Slobodan Milošević spoke at the celebration of the 600th anniversary of the Battle of Kosovo Polje. Nearly one million people heard his speech, which drew heavily upon the imagery of the battle, as he stoked the

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influence SSR interventions, framing reform processes and understanding possible outcomes. These include historical, geographical, ethnic and political factors, to name but a few. (Hänggi 2004:1-2; Ashdown 2007; Zoellick 2008; Colletta & Muggah 2009; Autesserre 2014) These are particularly relevant when conducting the comparative analysis in this thesis in order to understand better the similarities and differences of the case studies.

[32] For example, such areas as the mountainous topography that has had such an impact on communications and trade, and the demography of the region including the substantial rural peasantry. For such detailed analysis historiographies written by Mazower (2001) and Anscombe (2006) provide excellent reference material.

[33] Definition found in JFC Naples 2080.1/OJS GXD/06 dated May 2006. Copy held by researcher.

[34] Since both Slovenia and Croatia have joined the EU, they have been excluded from the EU definition of the 'Western Balkans'. For example see the European Commissioner for Trade: http://trade.ec.europa.eu/doclib/docs/2006/september/tradoc_113477.pdf. (Last Accessed 26 March 2014).

fires of nationalism and warned of the battles to come (Silber and Little 1997:71-2):

> "The Kosovo heroism does not allow us to forget that, at one time, we were brave and dignified and one of the few who went into battle undefeated. ... Six centuries later, again we are in battles and quarrels. They are not armed battles, though such things should not be excluded yet." [35]

The death of the Serbian leader at the battle, Prince Lazar, and the consequences of the defeat, have been the subject of many historical ballads. Folk singers played an important role in Serbian life under Ottoman rule in maintaining a sense of Serbian identity, so the 'martyrdom' of Prince Lazar offered both a vision of Serbia's "past as well as of its future." (Anzulović 1999:11) It also cemented the link between the Serbian Orthodox Church, the Serbian state, and the Serbian identity, as well as the Serbian fixation with the 'holy land' of Kosovo.[36] (*Ibid*:23-26; Judah 2008:23-25; and Kaplan 1993:38-40) It is a sentiment that has been echoed by a recent Serbian Foreign Minister, Vuk Jeremić, in a 2010 interview with The New York Times:

> "This place, Kosovo, is our Jerusalem; you just can't treat it any other way than our Jerusalem." [37]

The Ottomans spent some 600 years camped in various parts of the Western Balkans. The ebb and flow of conquest and retreat reached its zenith at the gates of Vienna in 1529, where Suleiman the Magnificent was defeated. Ottoman rule was at times harsh but, in general, was remarkably liberal. Christians and Jews were permitted to practise their religions. Although this varied according to location and time period, there is no real evidence of a concerted attempt at Islamicization. Scholars like Malcolm (2002:51-69) and

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[35] Also quoted in Judah (2009:163-4).
[36] St Sava is credited with establishing these linkages in the thirteenth century.
[37] See: The New York Times, *Recasting Serbia's Image, Starting With a Fresh Face*, dated 15 January 2010. Available at: http://www.nytimes.com/2010/01/16/world/europe/16jeremic.html?_r=0. (Last accessed 26 March 2014)

Sugar (1977:45-6) contend that most conversions were done willingly, particularly in BiH and Albania. As Judah points out:

> "... it was the way the Turks ran their empire that gave [... the Orthodox...] church a chance to survive. The *millet* system left to the local Christian leaders and the Jews many prerogatives of governance and taxation under the umbrella of the Sultan. Though Christians and Jews were in all respects second-class subjects, they were regarded as 'peoples of the Book'. Anybody who converted to Islam became a first-class subject and could then hold public office and prosper in the system." (2009:44)

The 17th and 18th centuries in the Western Balkans were punctuated by regular conflicts. For the most part they were initiated from without, by the Habsburgs, the Venetians, the French and the Russians, all waging war against the Ottomans with varying degrees of success. (Anscombe 2006:7) There were also a series of internal revolts, but for the most part these had less to do with ethnicity or religion and more to do with over-taxation by the ruling elite. (Malcolm 1998:117-119) The first serious internal revolt was led by the Serb Djordić Petrović[38] in 1804 and his forces succeeded in liberating virtually all of the Belgrade *Pashalik*.[39] After a few years of autonomy, eclectic support from the Russians, and another uprising in 1815 led by Miloš Obrenović, the Serbs were eventually granted the status of an autonomous province in the Ottoman empire and Serbian chiefs were given the right to collect taxes. (Glenny 1999:8-22)

By 1868 Croatia had become a Hungarian protectorate within settled borders. (A map from the period is at Map1.1 below.) At the Congress of Berlin in 1878 the great powers of Europe attempted to redraw some borders within the Balkans in order to counterbalance Russia's growing influence in the region. This included Austria-Hungary taking over Bosnia and subsequently Herzegovina, although most of the Ottoman administrative structure was kept in

[38] Also known as *Karadjorje* (Black George), who founded the first short-lived Serbian dynasty.
[39] A *pashalik* is a regional administrative area of the Ottoman empire normally under the jurisdiction of a *Pasha*.

place.[40] Bulgaria was cut back in size but the real loser was Macedonia, which was returned to the Ottomans. The country is strategically placed at the centre of the Balkans, with a mosaic of different faiths and culture. That it has a national identity is not in question, although whose identity it was and from whose roots they descended, continues to be debated:

> "To this day scholars have sought to answer the Macedonian question, the unyielding philosopher's stone of Balkan nationalism." (Glenny 1999:156-7)

Map 1.1: Western Balkan Historical Maps

(Source: New York Times Available at: http://www.pixelpress.org/bosnia/context/yugo1815.GIF.html [Last accessed 19 August 2016].)

The Berlin Congress was also a disappointment for Serbia. A map from this period is at Map1.1 above. As Anzulović points out: "Like other countries that re-emerged as sovereign nation-states in the 19th century after a long period of foreign domination or political fragmentation, Serbia displayed a strong expansionist trend." (1999:2) With its westward expansion into Bosnia denied

[40] Bosnia was not fully annexed until 1908. (Glenny 1999:288-290)

for the time being, it looked south towards Macedonia and Kosovo, which had been allocated to the Ottomans. Meanwhile Montenegro was allowed modest territorial gains but most importantly an outlet to the Adriatic Sea. (Glenny 1999:148-9)

There are three key themes to draw from this period of Balkan history: first, the role of the Great Powers in drawing borders with a logic that did not necessarily make sense on the ground; second, the frustration of national identities stored up problems with future irredentist claims; and finally, the expansionist tendencies of Serbia and its impact upon its smaller neighbours. These themes played their part again in the dissolution of Yugoslavia and the conflicts in the Western Balkans of the 1990s, as well as the subsequent reform processes.

The early 1900s saw a succession of alliances in the Balkans, with all the Great Powers competing for influence in a region that had started to follow its own inclinations. Indications of this were evident in the restlessness of the Kosovo Albanians as well as the stoking of Serb nationalism in BiH by Serbia. The success of the Albanians in resisting diktats from Istanbul demonstrated a weakness of Ottoman authority, which was fully exploited by Montenegro, Bulgaria, Serbia and Greece in the First Balkan War. Macedonia was the setting for much of the fighting and Mazower succinctly summarises these events:

> "In the First Balkan War of 1912-13 Ottoman power in Europe vanished in a matter of weeks. Serbia and Greece were the main victors, both acquiring huge new territories. Bulgaria won much less, and was soon even worse off after she declared war on her former allies in the Second Balkan war and was defeated by them. An independent Albania was recognised by the Powers, and defended against its hungry neighbours. The biggest loser in many ways – apart from the Ottoman Empire – was Austria-Hungary, which now faced a successful and expansionist Serbia." (2001:110)

Success on the battlefield merely prompted Serbia to look westwards again at Austria-Hungary, and thus also BiH and Croatia. As Anzulović (1999:91) explains: "... the destabilisation of that multinational empire became the most urgent goal of Serbia's foreign policy." This was the situation when the Serbian dissident, Gavrilo Princip, fired the bullets that killed Archduke Franz Ferdinand in Sarajevo on 28th June 1914. There were many who held Serbia directly responsible for these events.[41] Whilst debate over the motives for the assassination that ultimately led to the First World War still continues today, the British Foreign Secretary in 1914, Edward Grey, suggested:

> "The world will presumably never be told all that was behind the murder of the Archduke Franz Ferdinand. Probably there is not, and never was, any one person who knew all there was to know." [42]

Notwithstanding Serbia's subsequent surprise at being the subject of a declaration of war by the Austro-Hungarian Empire one month later, serendipity played its part, and by 1918 the Serbs had become the dominant partner in the Kingdom of Serbs, Croats and Slovenes, which was created at the end of the First World War. The unification was founded on a "... notion of Serbo-Croat linguistic unity propounded by Croat 'Illyrianists' in the 1830s and ..." included Montenegro, Kosovo and Macedonia." (Djokić 2003:4-5) It was renamed the Kingdom of Yugoslavia in 1929 and survived in that form until German and Italian occupation in 1941. The dismemberment of Yugoslavia was then warmly welcomed by Kosovo Albanians, as it meant an end (at least *pro tem*) to Serbian hegemony. (Cviic 1991:15-16)[43] The occupation also allowed Croatia, under the leadership of Ante Pavlić's Ustašas, to annex the whole of BiH and form an independent state. The fascist Ustašas soon became deeply unpopular within Croatia, however, due to the atrocities they committed, and support soon began to ebb towards the Communist leader, Josip Broz Tito. (Cipek 2003:78)

[41] Subsequent testimony from the co-conspirators, their obvious radical nationalist Serbian views and the fact that the assassination took place on the anniversary of the Battle of Kosovo Polje, all supported this view without being totally conclusive. (Anzulović 1999:91-92; Glenny 1999:303-305; Malcolm 1994:154-155)
[42] Quoted in Dedijer 1967:18; and Glenny 1999:304.
[43] The author's name would normally be spelt Cviić, but he has chosen to anglicise it to Cviic.

Soon after the Axis invasion Serbian Četniks, under command of the Royalist General Draza Mihailović, and Tito's partisan forces attempted to unify their resistance efforts in Serbia, but due to the incompatibility of their long-term objectives they soon began fighting each other. Ultimately, this resulted in the Četniks reaching an informal understanding with the Axis forces and reducing resistance to a minimum. The logic being to preserve Serbia from further damage. (Cviic 1991:18-20) This approach soon became apparent to the British government and materiel support switched to Tito's partisans. (Maclean 1975: 348-353 & 436-437) The military success of Tito's forces during the Second World War led to a seat at the victors' table and a second attempt at a united Yugoslavia. Nonetheless, reprisals against Četniks, Ustašas and dissidents against the Communist takeover continued well beyond the war years until 1948. The lack of any reconciliation process stoked long-term resentments and ultimately sowed the seeds for conflict in the 1990s. (Lowe 2013:248-265)

The Yugoslav constitution of 1946 brought together six republics in a federation[44] that had both the right to self-determination and the right of succession. (Pavlowitch 2003:65) They were: BiH, Croatia, Macedonia, Montenegro, Serbia (with autonomous provinces of Vojvodina and Kosovo), and Slovenia. (See Map 1.1 above.) After the ideological split with the USSR in 1948, Yugoslavia went through a gradual process of decentralisation and devolution that "... encouraged association of nationality with territory." (*Ibid*:66) This process was continued with the 1974 constitution, when the provinces of Vojvodina and Kosovo gained near equal status to the republics, much to the chagrin of Serbia. (Cviic 1991:65) This was a perceived slight that Milošević was to 'rectify' with catastrophic results for Kosovo, when he stripped both provinces of their autonomy in 1989, and by so doing "... controlled three out of

[44] Normally known as the Socialist Federal Republic of Yugoslavia (SFRY) or just FRY.

eight votes in the Federal Presidency ... turning Yugoslavia into Serbo-Slavia." (Glenny 1999:626-9)[45]

There are many theories about the ultimate collapse and fragmentation of Yugoslavia but it would seem to be a complex amalgam of causes. The death of Tito certainly played its part for during his life he achieved "... a finely tuned balance of power between the federal republics." (Djokić & Ker-Lindsay 2011a:6) Others argue that "... zero-sum nationalism ..." had an impact. (Radošević 1996:81) Another argued that "... by the mid-1980s the chickens of the 'crisis of identity of contemporary Yugoslav society' (Golubović 1987) had come home to roost." (Vejvoda 1996:251) And yet more point to the rise to power of Milošević in 1987 and his irredentist nationalism. (Pond 2006:10-15) One of the more persuasive arguments, however, is put forward by Woodward in her 1995 book *Balkan Tragedy*. Notwithstanding strong trade links with the West and relatively free movement of labour, Yugoslavia still maintained its command economy, which was less adaptive than its Western counterparts. "By 1979 Yugoslav foreign debt was at crisis proportions... " (Woodward 1996:159), unemployment was rising precariously reducing demand for foreign workers in countries like West Germany and thus also reducing remittances to the Yugoslav economy. By the mid-1980s it was clear to both Slovenia (with its strong economic ties to Austria) and Croatia (with his prosperous tourist industry on the Dalmatian coast) that they may be better served economically being outside the Federation. (Cviic 1991:70-74)

All these factors ultimately led to plebiscites in Slovenia (December 1990) and Croatia (May 1991) that voted overwhelmingly for independence.[46] A number of serious clashes occurred between Croats and Serbs in Western Slavonia in May 1991 and included incursions into Croatian territory by the JNA.[47] Slovenia had undertaken a six month moratorium on any unilateral action after its plebiscite. In the absence of any progress towards a constitutional settlement

[45] Glenny's quote is taken from: Silber & Little (1995:66).
[46] Macedonia's plebiscite was in September 1991 after the ten-day war in Slovenia.
[47] JNA - *Jugoslovenska Narodna Armija* or Jugoslav National Army

with Yugoslavia, Slovenia declared independence on 25th June 1991. This was followed by a ten day military action initiated by the JNA against Slovenia that ended with a ceasefire negotiated by a European Troika.[48] Once they had withdrawn from Slovenia, the JNA returned its attention to Croatia, which had also declared independence on 25th June. The JNA drove non-Serbs out of the areas they had captured, although the Croats were putting up fierce resistance. These operations intensified during the latter part of 1991 until a ceasefire was eventually signed on 2 January 1992. (Crampton 2002:248-253) This set the scene for the unthinking drift to war in BiH in 1992.

It is impossible to provide much detail in this short historical review of the Western Balkans. Nonetheless, the review has sought to provide a flavour of the region, as well as presenting some recurring themes that not only led to the disintegration of Yugoslavia but have also influenced today's political and security contexts of the two countries that are studied in Chapters 5 and 6 . By so doing it has removed some potential areas of historical duplication in those individual chapters. The themes that will be taken forward are:

- Historical borders that did not necessarily make sense on the ground;

- A lack of any reconciliation process after the communist rise to power in the 1940s, which stoked long-term resentments and ultimately sowed the seeds for conflict in the 1990s;

- The expansionist and irredentist nationalism of Serbia and in particular its President, Slobodan Milošević, and the impact upon Serbia's smaller neighbours;

[48] The success of the Troika's attempt to create a ceasefire led the Luxembourg politician, Jacques Poos, to suggest that: 'The hour of Europe has come.' (Rupnik 2011:18) The subsequent impotence of Europe in stopping the conflagration from spreading has immortalised those words.

- The crisis of identity in contemporary Yugoslav society, which stored up problems for future irredentist claims; and,

- The political and social impact of zero-sum nationalism;

That concludes this section and it is now time to turn to the structure of the thesis.

STRUCTURE OF THE THESIS

The thesis follows a broadly conventional structure of eight chapters with three main stages of analysis. Chapter 1 introduces the study and sets the scene for the remainder of this doctoral thesis. It provides the broad research context by briefly highlighting key elements of contemporary security, then the background and genesis to the phenomenon of SSR, and NATO's approach to them both. It presents the research problem within geographical and temporal limits and is followed by the research objectives and the significance of the study. The historical context for the Western Balkans is provided through a brief historical overview of the region. Finally, it sets out the structure of the thesis.

Chapter 2 starts with a detailed discourse on where this treatise is situated in terms of the discipline within the scholarly literature. It then reviews the literature pertaining to the evolution of the SSR discourse, in particular the role played by IGOs in clarifying the definitional debate, and provides a critical analysis of the concept. It develops an analytical framework to evaluate NATO's role in supporting SSR. The final section provides a body of theory in order to view the findings of the case studies. It draws upon literature from policy-makers, academics and practitioner spheres, as well as a body of 'grey' literature. The research methodology is set out at Chapter 3. It describes the various philosophical approaches and methods available to the researcher, and evaluates the most appropriate for each stage of the study. It then offers justification for the choices made including the case studies.

Chapter 4 briefly outlines the evolution of the NATO and the role the Alliance has played in support of post-authoritarian and post-conflict countries conducting their SSR programmes, as well as the tools that it has used. Chapters 5 and 6 seek to understand how NATO has contributed to SSR in the two country case studies using an analytical framework and then identifies common and divergent patterns and characteristics. Together these chapters form the first stage of the main analysis.

The second stage of the main analysis is contained in Chapter 7. It is a comparative analysis of the cross-case data collected on NATO's role in SSR in order to gain an understanding of the patterns and characteristics of the interventions and thus to identify how this experience could be used to inform NATO's future engagements. Finally, Chapter 8 contains the conclusions, areas identified for further research, and recommendations.

CHAPTER 2

REVIEW OF SSR LITERATURE AND DEVELOPMENT OF AN ANALYTICAL FRAMEWORK

> "Do not try to do too much with your own hands. Better that the Arabs do it tolerably well than that you do it perfectly. It is their war, and you are there to help them, not to win it for them. Actually, also, under the odd conditions of Arabia, your practical work will not be as good as, perhaps, you think it is."
>
> "Twenty-Seven Articles", *Arab Bulletin*,1917 - T. E. Lawrence[1]

INTRODUCTION

As explained in Chapter 1, SSR is still a new concept and notwithstanding the growth of literature on the subject, there still appear to be differences in its theoretical understanding, as well as concern about its application in the field. This review therefore seeks to provide a critical analysis of the extant literature, taking into account particularly the definitional debate and the role played by the SSR-relevant IGOs. The literature will include that produced by policy-makers, academics and practitioners, in conjunction with a body of 'grey' literature. The review will enable an analytical framework to be developed, which will be used in subsequent chapters to analyse NATO's role in supporting in SSR. In addition, a body of theory will be adduced for subsequent use.

In detail, this Chapter comprises seven discrete but inter-related, elements. First, there is an analysis of where this thesis sits within scholarly discourse and discipline. Second, following on from the discussion of the emergence of the SSR concept in Chapter 1, there is a review and analysis of the building blocks

[1] Lawrence, T. E., 'Twenty-Seven Articles', *Arab Bulletin*, 20 August 1917, No 15. See website: http://telawrence.net/telawrencenet/works/articles_essays/1917_twenty-seven_articles.htm [Last Accessed 23 February 2011.]

that formed the genesis of the SSR concept. Third, there is a substantive analysis of the definitional debate surrounding SSR and the role played by the SSR-relevant IGOs in developing SSR frameworks. Fourth, this then leads to the development of an analytical framework that will be used in the subsequent analysis of NATO's support to SSR. Fifth, the individual characteristics of SSR that are contained in the framework are then analysed in detail and in addition some theoretical models are adduced. At the end of this section there is a brief review of the current debate on SSR. Sixth, the theory of institutionalism is reviewed as a precursor to it being used in subsequent chapters to understand better the role of NATO in supporting SSR in the Western Balkans. Finally, a brief set of conclusions seek to draw together some of the overarching threads.

WHERE IS THIS TREATISE SITUATED WITHIN SCHOLARLY DISCOURSE AND DISCIPLINE?

This section aims to provide a detailed analysis on where this thesis is situated within scholarly discourse and discipline. By so doing it is intended to define the core focus of the subsequent literature critique.

The Economic and Social Research Council (ESRC) describes social science as "… the study of society and the manner in which people behave and influence the world around us." [2] It expands this definition by suggesting that it also:

> "… tells us about the world beyond our immediate experience, and can help explain how our own society works - from the causes of unemployment or what helps economic growth, to how and why people vote, or what makes people happy. It provides vital information for governments and policymakers, local authorities, non-governmental organisations and others."

[2] ESRC – Shaping Society. Available at: http://www.esrc.ac.uk/about-us/what-is-social-science/ [Last accessed 27 June 2017].

The *New Dictionary of the Social Sciences* (Duncan Mitchell 2008:191) expands this understanding to include, *inter alia*, "… the study of […] the forms of organization(s) …" The study of NATO's experience in supporting SSR in the Western Balkans would thus seem to fall squarely within this academic field but, given the broad range of disciplines within social science, there is an inevitable need to be more specific.

As discussed in Chapter 1,[3] NATO has undergone immense change over the first seven decades of its existence. Much of the recent literature on NATO has focussed on this process of transformation and the organisation's ability to survive as the pre-eminent global security provider. One such example is Kaplan's *NATO Divided, NATO United: The Evolution of an Alliance* (2004). Whilst acknowledging NATO's success, some scholars, such as Kashmeri in his *NATO 2.0: Reboot or Delete?* (2011), argue that the Alliance's future usefulness will depend upon accepting a reduced and more focused role, through handing much of the day-to-day, lower risk security roles to the EU. Others, such as Thies in his book *Why NATO Endures* (2009), and Yost in his *NATO's Balancing Act* (2014), focus on the ways in which NATO, as a treaty-based alliance, has overcome the myriad of challenges through a combination of a strong trans-Atlantic relationship and the ability of democracies to adapt to changing circumstances. Given this focus on political behaviour and policy at the international and national levels, as well as the relationships within the Alliance and with other international organisations, much of this literature would seem to be situated firmly within the field of political science and, in particular, within the sub-set of International Relations (IR).

Unlike the study of NATO, the discourse surrounding SSR is more difficult to place accurately within a single body of scholarly literature. This is for a variety of reasons. First, SSR is a relatively new concept and its body of literature and theory is still developing. (Chuter 2006; Ball 2014) Second, it is an intensely practical subject that until recently has relied heavily upon empirical observation

[3] See sections entitled: ‘Security Providers’ and ‘NATO’.

of what works in the field by practitioners, as evinced by the OECD handbooks (in particular OECD 2005a, OECD 2007a, OECD 2009b and OECD 2011), as well as several DCAF multi-author volumes such as Bryden and Hänggi (2004), Law (2007), Hänggi & Scherrer (2008) and Bryden and Olonisakin (2010). Many of these publications were designed to influence policy and practice, rather than an attempt to develop a specific and independent theory of SSR *per se*. The fact that they directly contributed to the formulation of SSR policies by the EU (EU 2005; EU 2006; EU 2016), UN (UN 2008; UN 2014) and the OSCE (OSCE 1994; OSCE 2016) would suggest a measure of success in their endeavours.

Nonetheless, there are some scholars in the field of development (eg Jackson 2011:1817-1819) and state-building (eg Chandler 2006: 1-8 and 191) who argue that the support of SSR by international actors often undermine sovereignty and local ownership of a state, as well as skewing concepts of accountability and wider governance. Thus issues of local ownership and governance should be included in the discourse and will be analysed further at a later stage in this Chapter. Finally, SSR draws upon many other interleaving disciplines such as strategic studies, security studies, peace and conflict studies, as well as the study of national security strategies.

There is one additional field of study that need to be mentioned in this discussion. The practice of SSR owes a significant debt to management theory and particularly managing change through organisational analysis and organisational development (OD), with its emphasis on a "… planned process of developing an organization to be more effective in accomplishing its desired goals …" (Shaffer 2000). *Inter alia*, OD includes a holistic approach, which addresses individual and collective capacity building, as well as the need for bespoke solutions. These are precisely some of the principles that lie at the heart of SSR (OECD 2007a) and are issues that will be addressed in more detail later in this Chapter.

As discussed in Chapter 1,[4] the increasing importance of governance systems within the SSR concept and the political nature of SSR support situates the literature specifically within the field of political science. The linkage between security and development in the SSR concept are key to its understanding and will be explored in more detail later in this Chapter.[5] The debate, however, lies beneath the umbrella of political science and between the sub-sets of IR and public policy, as well as the inter-disciplinary fields of management, strategic studies, security studies, development, peace and conflict studies and national security strategies. Given this diversity, it would seem to be clear that SSR could sit comfortably within a number of different inter-disciplinary fields depending upon the precise focus of the study.

As the focus of this thesis is on NATO's experience of supporting SSR within the Western Balkans, this narrows the academic field more specifically to either security studies or, its sub-field, strategic studies.[6] Traditionally the referent object in strategic studies has tended to be the nation state and providing security from, *inter alia*, inter-state armed conflict. This sub-field would also include the study of security IGOs, such as NATO, but this study is much more than just about the use of military power. The broadening of the security concept that was discussed in Chapter 1,[7] and the inclusion of 'human security' as a key tenet (Mutimer 2007:89-94) of SSR, would suggest that this treatise is much broader in scope than just strategic studies. The researcher would therefore argue that it should be placed in the multi-disciplinary field of security studies.

To conclude this section, this thesis on NATO's experience of supporting SSR within the Western Balkans is broadly situated within the social sciences and primarily within political science, and more specifically within the sub-sets of IR and public policy. It also draws upon several inter-disciplinary fields but

[4] See sections entitled: 'Security and a Changing Security Environment' and 'The Emergence of the SSR Concept'.
[5] See section entitled: 'The Security-Development Nexus'.
[6] This linkage between security studies and strategic studies is drawn from the definitions contained in Collins (2010:2).
[7] See section entitled: 'Security and a Changing Security Environment'.

specifically the field of security studies. This would seem to fit the core focus of the study and is consistent with the expertise of the researcher's host faculty.

THE BUILDING BLOCKS OF SSR

Following on from the discussion of the emergence of the SSR concept in Chapter 1,[8] this section will further analyse three discrete but inter-related building blocks that formed the genesis of SSR: the OSCE 'Code of Conduct', the debate surrounding 'human security' and the 'security-development nexus'.

OSCE 'Code of Conduct'

The OSCE was the first IGO to broaden its perspective of the security sector focus beyond the military in its *Code of Conduct on Politico-Military Aspects of Security* (OSCE 1994). The 'Code of Conduct' established inter-state and intra-state norms of behaviour, which laid the foundations for the democratic control of armed forces. It set out the desired destination in terms of robust and democratic civil-military relations, which was then underpinned by the measures necessary to reach that destination.

The norm-setting standards inherent in the 'Code of Conduct' sought to achieve this Westphalian goal of distinguishing between the roles of the military (for dealing with external threats) and for the police (dealing with internal threats). It was thus a significant and ground-breaking departure. Whilst it drew upon the "Helsinki Final Act, the Charter of Paris and the Helsinki Document 1992" (OSCE 1994b:1), it also provided much greater leverage to ensure democratic compliance. It viewed the integration of the intelligence services and police into civil society as a normal democratic process[9] underpinned by the concepts of accountability, civil control and transparency. (Ghébali 2008:2-6) The literature would suggest that it formed the early foundation for thinking on SSR (eg Law

[8] See section entitled: 'The Emergence of the SSR Concept'.
[9] One slightly surprising omission from the original list was border guards (see Hills 2002), although the issue was subsequently addressed in practice.

2007:12; Myshlovska 2007:30-31) and it is a view that has been echoed by the OSCE itself:

> "[The Code of Conduct] provides the basis for a range of SSG/R principles, such as a comprehensive approach to security beyond military perspectives, ensuring accountability through democratic control, and the need to design the security sector in an effective and efficient, as well as accountable and transparent, manner." (OSCE 2014:10)

The role played by the 'Code of Conduct' has been progressively subsumed by more recent framework documents on SSR, especially from the OECD (eg OECD 2007a) and the UN (eg UN 2008), but is still well-regarded internationally[10] and has undoubtedly influenced current normative thinking on SSR. (eg OSCE 2016:18-19)

Human Security

Another key influence on SSR has been the recent focus on human security. Chapter 1 introduced the idea of a contemporary move away from conflict between warring states to conflicts more closely associated with instability and state fragility; intra-state rather than inter-state. Kaldor has been extremely influential in this debate. She began to use the term 'new wars' in the 1990s when she was co-chair of the Helsinki Citizens Assembly (HCA) and was a frequent visitor to places like Nagorno Karabakh and BiH. By 'new wars' she meant those conflicts that often took place in the context of state and societal disintegration. Where battles rarely took the form of set-piece manoeuvre but rather deliberate and sustained violence against the civilian population with the aim of instilling fear, creating dominance or ethnic cleansing. (Kaldor 2007:2-5) This state of affairs is recognised by Brzoska (2006:1) and by Smith in his seminal work, *The Utility of Force*:

[10] It has also been a model for codes of conduct in other parts of the world such as in West Africa with ECOWAS. See: Ebo 2007a:162-163.

> "War no longer exists. Confrontation, conflict and combat undoubtedly exist all round the world. [.....] None the less [sic], war as cognitively known to most non-combatants, war as battle in a field between men and machinery, war as a massive deciding event in a dispute in international affairs: such war no longer exists." (2005:1)

This change in the focus of conflict has prompted a concomitant shift in people's perception of security. Most scholars would argue that this shift began in the mid-1990s, not just with the introduction of the OSCE's 'Code of Conduct' but with the publication of the 1994 *Human Development Report* (UNDP 1994). A look back in time would suggest, however, that the seeds of human security were probably sown during President Roosevelt's 1941 'State of the Union Address' when he argued that there were four fundamental freedoms that should be enjoyed by all: freedom from fear, freedom from want, freedom to worship, and freedom of speech.[11] The UNDP attempted to reframe the debate and argued that "... for too long [security] has been interpreted narrowly: as security of territory from external aggression, or as protection of national interests in foreign policy or as global security from a nuclear holocaust. It has been related more to nation states than to people." (1994:22) The report specified the main components of human security: "freedom from fear and freedom from want."[12] It then proceeded to list seven main categories that comprise the threats to human security: economic, food, health, environmental, personal, community, and political. (1994:24-33) Whilst there is still some debate about how broad this concept of security should be, there is general consensus along the above lines. (Wulf 2004:1-2)

The period 1991 to 2000 has become known as the decade of 'humanitarian intervention': a term that can best be articulated as "… military intervention in a state, with or without the approval of that state, to prevent genocide, large-scale violations of human rights (including mass starvation), or grave violations of

[11] Roosevelt, *Four Freedoms Speech*, dated 6 January 1941. Available at: http://www.americanrhetoric.com/speeches/fdrthefourfreedoms.htm [Last accessed 4 April 2016].
[12] In line with Roosevelt's ideas.

international humanitarian law." (Kaldor 2007:17) With the ending of the bi-polar Cold War there was a much greater readiness to use military force to preserve life, end oppression and prevent ethnic cleansing. The establishment of a safe haven in Northern Iraq in 1991 began a shift away from the principle of non-intervention in the internal affairs of a state and fundamentally altered the norms governing state relations. This change in approach informed the thinking underpinning the1994 UNDP Report but the momentum for change was subsequently maintained by the publication of the Report.

The growth of think tanks in the 1990s such as the International Crisis Group (ICG) and the Institute for War and Peace Reporting (IWPR), as well as a number of independent and UN appointed commissions, also sustained public interest in such issues. Events in Rwanda in 1994, BiH in 1994-95 and Kosovo in 1998-99 should not be ignored. Prime Minister Blair's speech in Chicago (Blair 1999) during the lead-in to the ground invasion of Kosovo argued the case for intervention. The 'International Commission on Intervention and State Sovereignty' (ICISS) under the chairman ship of Gareth Evans and Mohamed Sahnoun took that argument a stage further for what subsequently became known as the 'responsibility to protect.' (Evans 2008)[13]

It is not the purpose of this study to dwell extensively on the concept of human security but it is worth making three additional points that link directly into current thinking on SSR. First, like the early commentators on Civil Military Relations (CMR), there is a concern expressed in the 1994 UNDP Report about excessive military spending and control of the military, but the report also highlights that the police can also be used as "... agents of repression [... and who ...] are commonly cited as the perpetrators of human rights violations in both Eastern and Western Europe." (1994:33) This is a point that the OSCE addressed in their 1994 Code. Second, a key principle of human security is the re-establishment of legitimate political authority in order for the creation of trust amongst the population as well as some enforcement capability. "Measures like

[13] UNSCR 1674 (2006) is the relevant resolution dealing with the protection of civilians.

justice and security sector reform, DDR, the extension of authority, and public service reform are critical for the establishment of legitimate political authority." (Kaldor 2007:187)[14] And finally, there is a recognition in Smith's (2006:267) 'war amongst the people', as well as Kaldor's (2007:190) principle of regional focus, that there is a fluidity to people, trade, events and politics that transcends single states and demands regional approaches to security. Everything is interdependent. An act of violence against a village in southern Kosovo will have an impact in Albania and Macedonia. A Taliban attack on a NATO convoy in Pakistan has an impact on NATO forces in Afghanistan. All three ideas have informed SSR thinking.

Although the founders of the UN supposedly gave equal weight to the state and to the people, in reality most action tended toward the former. The pendulum began to swing in the other direction at the latter stages of the 1990s, especially with events in Kosovo, and led increasingly for security to be viewed through a human security lens.[15] It was an approach that fed directly into the SSR concept, not least as participatory surveys, such as 'Voices of the Poor' (Narayan *et al* 2000a, 2000b, 2002) began to identify one of the root causes of poverty as physical insecurity. This link between development and (in)security is developed further in the next section.

The Security-Development Nexus

The next area in the search for SSR's genealogy is the security-development nexus that was briefly discussed in Chapter 1.[16] The acknowledgement by the development community in the late 1990s of the increasingly "... important role that the 'security sector' plays in economic development and democratisation" (Edmunds 2001:1) took some by surprise. Careful scrutiny of the changes to the security environment, the mixed record of success in development, and the

[14] Wulf skilfully expands this argument in his monograph at: Wulf (2006:20-40).
[15] The concept of human security is not without its detractors but for a well-balanced closely argued treatment of the subject see: Krause (2007).
[16] See section entitled: 'The Emergence of the SSR Concept'.

evolution of the democratic and governance agenda had perhaps already pointed towards the growing inter-dependence of security and development. As OECD said in 1995:

> " The rule of law, public sector management, controlling corruption and reducing excessive military expenditures are important issues of governance. [...] DAC members recognise the importance of peace and security for development. When military expenditure is excessive, it can result in conflict and repression, contribute to instability in the region and divert scarce resources away from development needs. [...] In this dialogue, account must be taken of the fact that official development assistance is only one element of a comprehensive approach to reducing excessive military expenditure and that aid agencies should make their best efforts to achieve coherence between a policies and other related policies." (1995:14 and 20-21)

Nonetheless, the literature would seem to suggest that there were initially two main barriers to the acceptance of this interdependence in the late 1990s and two main catalysts which assisted the final conversion.

The first barrier would seem to be a combination of an institutional reluctance on behalf of the international financial institutions (IFIs) to working with the security sector (Brzoska 2003:3; Wulf 2004:9; and Hendrickson 2005:21-22) and their inherent adherence to pure economic theory, where:

> "[B]oth organisations were dominated by neo-classical economists. In neo-classical economic theory, which emphasises investment in productive capital as the engine of growth and economic development, military expenditure is considered to be pure waste." (Brzoska 2003:6)

It was only in 1999 with the publication of their policy document entitled *Security, Poverty Reduction And Sustainable Development: Challenges For The New Millennium*, that the World Bank began to recognise the need for a broader

engagement with the security sector. (World Bank 1999; Ball 2001:45-66; and Hendrickson 2005:21)

The second barrier was that development had previously been closely connected with economic growth, but, as Stewart argues, this link came to be regarded as inadequate. For example, average income "... may not be a good indicator of many important aspects of human well being, such as people's health, education, or security." (2006:43-44) It was the growing acceptance of the concept of human security and the results of the participatory studies, such as *'The Voices of the Poor'* that then allowed the economic link to development to be replaced by that to security and for those two disciplines to become aligned more closely, both in practical and intellectual terms.

The first catalyst for change was a changing perception of governance. By the end of the 1990s the issue of governance had entered the donor consciousness and become embedded in the development agenda. This allowed a far broader debate to begin on the ends, ways and means of development. Furthermore, a combination of input from non-OECD countries (those who were receiving development aid and had a view on its efficacy) as well as the experience of many post-authoritarian countries in Eastern and South Eastern Europe (adhering to the principles of democratic CMR) highlighted the considerable benefits of tackling governance and security deficits together. (Ball 2010:32-33) This unlocked attitudes as well as practice such that improving governance became a fundamental plank of the SSR concept.

The second catalyst was a most explicit link between development, conflict and security made by UK's DFID in 1997:

> " *'There were two reasons for embracing the objectives of international development. First because it is right to do so [...] Second, because we have a common interest in doing so [...] helping strengthen the capacity of a society to manage conflict without violence must be seen as a foundation for sustainable development.*' Not only did poverty and underdevelopment come to be

> associated with conflict, but conflict itself, through the destruction of development assets and social capital, was regarded as complicating poverty and deepening underdevelopment." (Chanaa 2002:26. Emphasis added.)[17]

This explicit connection by the UK and DFID helped underpin the concept of SSR. DFID then focussed international attention on this nexus between development and security in a series of carefully planned papers and speeches during the period 1997-1999, which then helped shape today's SSR agenda. (DFID 1997:67-71; Short 1998; Ball 1998:1-2; DFID 1999:1; Ball & Hendrickson 2007:10)

For example in her speech to the Royal College of Defence Studies on 13 May 1998, Short said:

> " A military sector that is well cast and managed can serve the interests of all, including the poor. A military sector that is inappropriately tasked, badly managed and undisciplined can undermine the interests of the poor and inhibit development - sometimes for decades. In many of the world's poorest countries, *elements within the security sector are a major cause of insecurity, conflict and human rights abuse*." (Short 1998. Emphasis added.)

This was followed by a speech at King's College London on 9 March 1999 entitled: *Security Sector Reform And The Elimination Of Poverty*. (Short 1999) The talk coincided with the publication of DFID's first policy statement on SSR and with the announcement of the creation of an autonomous unit in the King's College to support the implementation of SSR. (Hendrickson 2009:3)

There was a groundswell of international support for DFID's approach but it is perhaps worth reflecting at this stage that the UK's, and subsequently other's embrace of the SSR concept seemed to have been overly optimistic. The range of different contexts, the diversity of issues that it touched upon, and the

[17] The first part of this quote in italics has been taken from a DFID White Paper (DFID 1997:16) by Chanaa and the second part are her words. As quoted in: Chanaa (2002:26).

vagueness of the early concept, raised more questions than answers and that meant its path to full international acceptance was uneven. (Fitz-Gerald 2006:109-113) Lessons that were identified were not learned and the lack of an agreed taxonomy hindered its development. (Rees 2008:139-140)

THE DEFINITIONAL DEBATE SURROUNDING SSR AND THE ROLE OF IGOs IN ITS CLARIFICATION

During the late 1990s to early 2000s the debate spawned by the use of the term SSR taxed policy-makers, academics and practitioners alike, as they strove to make sense of, to coin the words of Chuter, "a rather slippery concept". (2011:viii) During these early days there was a growing body of literature on the subject, but still a lack of intellectual clarity on precisely what it meant. (Greene 2003:2; Donais 2008b:4-5) Scholars such as Chuter (2006:1 and 6-8) agreed that much of the confusion with SSR came down to definitional issues. The SSR community was, however, fully seized of this lacuna:

> "Security sector reforms are a new area of activity for international actors, and there is still not a shared understanding at the international level of what this term means. This has limited the debate on the subject. Assisting in the development of such a shared understanding should be a priority objective for the research community." (Hendrickson & Karkoszka 2002)

This section seeks to analyse the definitional debate surrounding SSR and at the same time explore the role of some key IGOs (namely the OECD, the UN, the EU and the OSCE) in developing SSR frameworks that helped clarify the situation.[18]

The Early Definitional Debate

[18] Some scholars have also included the African Union (AU) and the Economic Community of West African States (ECOWAS) in this group. (eg Law 2007) In the interests of brevity and as the focus of this thesis is on NATO and, in the main, Europe, these two organisations have been excluded from the discussion.

One of the key issues in the early definitional debate was the tendency for donors to approach SSR in a compartmentalized way without necessarily bringing the various strands together in a strategic manner. (eg Law 2007:19-21) This was a view endorsed by Rory Keane from the OECD when he stated that "... donor policy communities remain to some degree locked within their respective thematic invisible cages, which makes coherence, coordination and complementarity all the more difficult to achieve." (As quoted by: Sedra 2009:9)

There was a recognition by all elements of the SSR community, however, that sustainable reform was only possible if the SSR concept embraced a fairly wide definition. It should not be too narrow and just concern itself with defence reform, but needed to embrace the full spectrum of thematic reforms in areas such as border guards and justice, as well as emphasising the role of civil society. Thus the broader focus of SSR as advocated by Ball and others quickly gained common currency. (Ball 2001:45-66; Hänggi *et al* 2004:5; Ball 2010:46; and UN 2012a:34)

The evolution of this thinking is quite simple and is worth noting here. Borchert (2003: 1-21) suggested that since its inception in the late-1990s the first generation of SSR thinking focused on establishing new security institutions, as well as delineating the powers of actors in the security sector and their respective oversight mechanisms (eg Parliamentary oversight committees etc). Key to this approach was the democratic control of armed forces and ensuring that security legislation provided for this.

Second generation thinking consolidated previous work but turned to the improvement of efficiency and effectiveness of security structures in order to enhance delivery of services. (Edmunds 2002:5-9) This included not just the operational actors such as the military and the police, but also a core of civilian expertise to direct and oversee defence and security policy within the respective ministries.

The more recent, third generation thinking, took a more holistic approach and moved towards the establishment or improvement of democratic governance and capacity building, as well as improving cooperation amongst the various security sector actors. (Borchert 2003:5-9) It was the focus on improving governance, however, that really separated SSR from the concept of security assistance that was previous practised by many donors. A diagram that summarises these three generations has been reproduced from Borchert's paper and is at Figure 2.1 below:

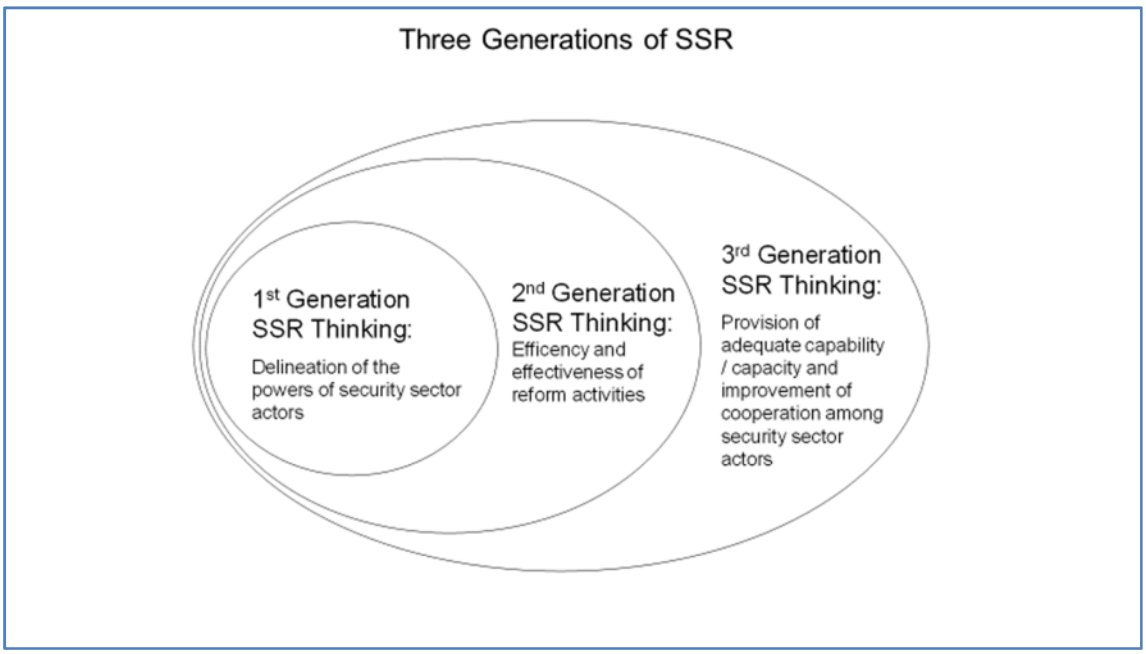

Figure 2.1: Three Generations of SSR
(Source: Borchert 2003:4)

Although governance is not specifically mentioned in Borchert's diagram, a review of his paper reveals quite clearly that he believed democratic governance to be at the heart of the SSR concept. (*Ibid*:6) It is an idea that permeated all subsequent definitions and frameworks pertaining to SSR.

In drawing this discussion on the three generations of SSR to a close, it should be noted that some contemporary scholars, such as Sedra (2010:102-116),

have suggested that these three generational stages of orthodox SSR are really only the first generation of thinking. These scholars argue that with the changes currently being wrought within SSR, particularly SSR 'under fire', there is a need to re-conceptualise the model. They refer to this as second-generation SSR. It is a term that has gained currency (eg Muggah 2009; Fuior & Law 2014) and it will be discussed in more detail later in this Chapter.[19]

Having set the scene on the debate, it would now be appropriate to turn to actual definitions of SSR that were produced by policy-makers, practitioners and scholars during the early 2000s. For example, in 2002 Lilly, Luckham & Von Tangen Page suggested that SSR was the "… transformation of security institutions so that they play an effective, legitimate and democratically accountable role in providing external and internal security for a country's citizens." (2002:4) In 2003 the Clingendael Institute in the Netherlands published a report which drew heavily upon the Lilly *et al* definition and suggested that SSR was:

> "…the transformation of security institutions so that they play an effective, legitimate and democratically accountable role in providing external and internal security for their citizens. There is a wide spread recognition that SSR is an essential prerequisite for long-term stability and prosperity of a country." (Ball *et al* 2003:2)

Both of these definitions highlight the core focus of governance (eg legitimacy, effectiveness and accountability) but also the role of external security (more statist and dealing with threats from outside the country) as well as internal security (focusing on the people and thus human security).

The Role of the OECD in the Definitional Debate

[19] See section entitled: 'Current Debate on SSR'.

This debate was taken a stage further in 2004 by the OECD[20] when it published a paper entitled: *Security System Reform and Governance: Policy and Good Practice,* which had been agreed by Ministers and donor agencies in April of that year. (OECD 2004) The following year it published the *OECD DAC Guidelines on Security System Reform and Governance* (OECD 2005a) which became the authoritative version and contained both the original ministerially agreed policy document as well as views on SSR from non-OECD partner countries. The guidelines defined SSR as:

> "… another term used to describe the transformation of the 'security system' – which includes all the actors, their roles, their responsibilities and actions – working together to manage and operate the system in a manner that is consistent with democratic norms and sound principles of good governance, and thus contributes to a well-function security framework." (*Ibid*:20)

This 2005 paper set out the following approaches and good practice for donors to pursue whilst supporting SSR (all references taken from the foreword of *Ibid*:3):

- "To increase partner counties' ability to meet the range of security needs within their societies in a manner consistent with democratic norms and sound governance principles, including transparency and the rule of law."

- Assist partners in creating "…[d]emocratically run, accountable and efficient security systems [… that …] can help reduce the risk of violent conflict."

[20] It is interesting to note that some of the individuals who assisted the development of SSR thinking in DFID, such as Nicole Ball and Dylan Hendrikson, were also involved in the development of the OECD SSR framework. For example, see: OECD 2004:3. This would seem to indicate that at least one of the OECD donor countries (in this case the UK) was pushing the SSR agenda within the OECD.

- Defines "… the security system [… in broad terms …] going well beyond armed forces and the police [… and …] includes the civil authorities responsible for oversight and control."

- Recommends that "… whole-of-government frameworks and mechanisms are needed – both in donor and developing countries – in order to harness the range of policy and funding instruments available into a common effort."

- Suggests that "[p]artner ownership is critical."

- And finally argues that "… [a]ll external actors need to have a keen understanding of the context and history of partner countries and carefully consider regional dynamics. This requires long-term analysis and engagement."

This extract effectively endorsed the centrality of governance in the practice of SSR as well as Ball's broad definition of the security sector. It also emphasised the criticality of local ownership, the role of Whole-of-Government Approaches (WGA), and the importance of context to the support of SSR. All these characteristics will be discussed in more detail later in this Chapter.[21]

Based upon the 2004 and 2005 documents, the OECD gathered together a range of development, security and SSR experts in a consultative process known as the 'Implementation Framework for Security System Reform (IF-SSR) in order to operationalise the SSR guidelines on SSR. The result was the first SSR handbook to be produced by an IGO: the O*ECD DAC Handbook on Security System Reform: Supporting Security and Justice.* (OECD 2007a)

The Handbook did not include a definition of SSR (presumably being content to retain the one from OECD 2005a) but it did include an objective for the support

[21] See section entitled: 'CHARACTERISTICS OF SSR'.

of SSR amongst its list of SSR principles and which drew upon the original definition:

> "The overall objective of international support to security system reform processes is to increase the ability of partner countries to meet the range of security and justice challenges they face, "in a manner consistent with democratic norms, and sound principles of governance and the rule of law", as defined in the *DAC Guidelines on SSR*. SSR helps create a secure environment conducive to other political, economic and social developments, through the reduction of armed violence and crime." (OECD 2007a:21)

The Handbook then recommended that international actors should support partners to achieve four key objectives:

- "Establishment of effective governance, oversight and accountability in the security system;
- Improved delivery of security and justice services;
- Development of local leadership and ownership of the reform process; and,
- Sustainability of justice and security delivery." (*Ibid*:21)

The final part of this jigsaw is the OECD definition of the security sector, which is:

- "*Core security actors*: armed forces; police service; gendarmeries; paramilitary forces; presidential guards; intelligence and security services (both military and civilian); coast guards; border guards; customs authorities; and reserve or local security units (civil defence forces, national guards, militias);

- *Management and oversight bodies*: the executive, national security advisory bodies, legislative and legislative select committees; ministries of defence, internal affairs, foreign affairs; customary and traditional authorities; financial management bodies (finance ministries, budget officers, financial audit and planning units); and civil society organisations (civilian review boards and public complaints commissions;

- *Justice and the rule of law*: judiciary and justice ministries; prisons; criminal investigation and prosecution services; human rights commissions and ombudsmen; and customary and traditional justice systems; and

- *Non-statutory security forces*: liberation armies, guerrilla armies, private security companies, political party militias." (OECD 2007a:22)

It is a broad definition in line with what was promised in OECD 2005a and in large measure has been endorsed and replicated in other SSR frameworks. One point to note at this stage is that NATO would not necessarily have routine access to a number of the actors in the above list (particularly in the justice sector) so would not necessarily be directly involved in supporting their reform. It is an issue that will be returned to at a later stage.

It would be fair to assert that a combination of OECD 2005a and OECD 2007a provide a most comprehensive and clear articulation of the aims and objectives of SSR. As Jackson (2011:1811-1812) observed: "There is little disagreement among most donors regarding these aims, even if the balance may be di□erent between them." The documents also provided a set of working principles for support to SSR processes. (OECD 2005a:22-24; OECD 2007a:22-23) The list is too long to be included in the main body of this thesis but a summary is contained in Appendix 2, along with similar definitions and principles from other IGOs' SSR framework documents.

In concluding this section, it would be appropriate to reflect upon four points. First, the role of the OECD is to "… develop policy guidelines and norms with a view to coordinating policies and good practice." (Law 2007:9) Its role does not extend to implementation in the field, unlike the other IGOs which are discussed in the following sections, which have both policy and field obligations. Second, it has clearly drawn upon a range of well-qualified experts in its consultation for the *Handbook on SSR* as well as the experience of all the major donor aid agencies. It would therefore be surprising if these IGOs were to develop frameworks that were too different from that of the OECD. Third, it would be a fair question to ask whether the *Handbook on SSR* is still relevant ten years after its publication. Indeed a 2016 OECD survey asked member states which documents they would refer to regarding security justice and rule of law. (OECD 2016) The majority (eg Germany, Sweden, the UK etc) specifically mentioned the Handbook and even those that did not, such as Finland, referred to their own development guidelines (Finland 2014:19-20), which used much of the familiar OECD language from the Handbook. (OECD 2016a:67-71) The final point to make is that the Handbook was originally designed for use in development contexts ranging from the benign (including both developed and developing countries) to countries at risk of conflict, through to post-conflict environments. Whilst the principles of SSR would probably remain valid in countries where there is an ongoing conflict, the methods used to support SSR, the points of entry and the desired outcomes will be fundamentally different.[22] This will be discussed later in this Chapter.

[22] The final point is made as a result of an e-mail exchange dated 4 October 2017, with Dr Mark Downes, formerly OECD staff, and now Assistant Director and Head of Operations, DCAF, Geneva. A copy of the exchange is held by the researcher.

The UN Approach and Framework

Having reviewed in some detail the OECD's approach to SSR, the aim of this section is to discuss the UN's approach. During the mid-2000s the OECD donor countries were active within the UN in pursuing an SSR agenda.[23] The Security Council first formally discussed SSR in 2005 (UN 2005) and then again in February 2007 when a UNSG presidential statement tasked the UN Secretary General to submit a report on the UN's approach to SSR. (UN 2007a) The UN Policy Committee then established an interagency SSR Taskforce (IASSR-TF), co-chaired by DPKO and UNDP, to lead in this endeavour and develop a strategic, integrated and coordinated system-wide UN approach to SSR.[24] In effect the IASSR-TF was given a mandate for both policy development and operations connected with SSR.[25] The report was duly submitted in January 2008 (UN 2008) and included a decision to form a UN SSR Unit (SSRU), which would take the lead for the day-to-day work on SSR within the UN, as well as responsibility for acting as the secretariat for the IASSR-TF.

The report served several additional purposes. First, it stressed the vital importance of developing a coherent and holistic UN approach to SSR, which would improve its impact in the field. There was a recognition that its previous support to SSR had been *ad hoc*, as well as lacking any sense of intellectual framework or rigour. Second, it set out the core principles that should guide its approach to SSR. In so doing it laid a claim to play a normative role in the support of SSR, as well as an operational role in the field. This could start with needs assessments, through technical advice to security institutions, to a full range of capacity building programmes. Third, it linked SSR to several other initiatives including UNSCR 1325(2000) (UN 2000a) on the important role of

[23] The thrust of a conversation with a Slovakian diplomat who was part of the 'Friends of SSR' at the UN in 2007. Bratislava, 6 June 2017.
[24] This task was contained in a RLSOI-DPKO briefing note dated 20 August 2007. A copy is held by the researcher.
[25] See: 'UN Peacekeeping – Security Sector Reform'. Available at: http://www.un.org/en/peacekeeping/issues/security.shtml [Last accessed 5 September 2017].

women in the prevention of conflict and the so-called ‘Brahimi Report’ on peacebuilding (UN 2000b). The fourth, and largely unstated purpose, was to encourage better cooperation and coordination between the mainly autonomous departments within the UN. (UN 2011:5-6 alludes to this role.)

The UN’s definition of SSR and the security sector are contained in full at Appendix 2. A comparison of these with those produced by the OECD reveal three relatively minor variations. First, the UN reverted to using the term ‘Security Sector Reform’ over OECD’s ‘Security System Reform’. The researcher could find no explanation for this. One possible reason, however, is that when the UN refers to a ‘system’, it tends to mean the ‘UN system’. This certainly seem to be the case in the 2008 Report when it talks about “a system-wide approach to SSR” (UN 2008:2), a “system-wide coherence” (*Ibid*:15), or “a system-wide policy for SSR” (*Ibid*:17). Second, although the UN’s words may be slightly different and in a different order, the thrust is very similar. A comparison of the key SSR terms and principles for the IGOs under discussion is at Table 2.1. Third, whilst the UN’s definition of the security sector includes some elements of the justice sector, it is less inclusive than that used by the OECD. The reason for this would seem to be due to the UNDP’s traditional role in assisting with institutional reform in the field of access to justice and the rule of law, and its desire to retain that lead. (*Ibid*:8)

From its inception in 2008 the SSRU played an increasingly active role in SSR within the UN, not least in harmonising common strands of work between the various departments. Of particular note is the UN's contribution to thematic areas such as DDR with the *Operational Guide to the Integrated Disarmament, Demobilisation and Reintegration Standards* (IDDRS), which has provided a useful *vade mecum* for many field practitioners. (Ebo & Powell 2010) Nonetheless, it took another four years for a common framework for SSR to be agreed in the form of the *UN SSR Integrated Technical Guidance Notes (ITGN)*. (UN 2012b) It covers, *inter alia*, the UN’s approach to SSR, national ownership of SSR, democratic governance, and a series of checklists. The language of

the ITGN owes much to the OECD Handbook, although somewhat surprisingly there is only one passing reference to the actual document. (UN 2012:115)

The SSRU contributed to a range of SSR related policy documents including *Defence Sector Reform* (UN 2011), the *UN SSR Perspective* (UN 2012a), and, of note, was the Secretary General's report on *Strengthening the United Nations Comprehensive Support to Security Sector Reform.* (UN 2013) The report emphasised the following:

> "Support to security sector reform therefore needs to be better linked to broader political reforms that create the foundations for transformative processes such as national dialogues, reconciliation efforts or transitional justice initiatives. In the absence of these foundations, security sector reform is neither sustainable nor transformative." (UN 2013:2)

And:

> "Successful security sector reform transcends activities targeting individual components of the sector such as the police, army [… etc…]. Critically, the Organization and Member States have come to appreciate the importance of sector-wide initiatives that address the strategic, governance and architectural framework of the sector." (*Ibid*:2)

The OECD Handbook (OECD 2007a), the UN Secretary General's 2008 report (UN 2008) and the *UN SSR Perspective* (UN 2012) are all quite clear that for support to SSR to be successful there is a need to link it to political processes and to sector-wide approaches. Whilst it may therefore be surprising that the UN repeated these assertions, it was perhaps this evidence from the field which suggested these issues were being ignored, that prompted the 2013 document. These shortcomings have certainly been pointed out by scholars such as Podder (2013), Sedra (2013) and Gordon (2014).

A final UN document that bears mentioning is UNSCR 2151(2014), which is the first Security Council resolution on the opportunities and challenges of SSR (UN 2014). It stressed the centrality of national ownership in SSR approaches, whilst emphasising the need for political leadership and political will on the part of national authorities, as well as the need for the UN to take a comprehensive approach in coordination with other IGOs, and finally that the concept of SSR is both a technical and a political process. Thus, aside from reinforcing the main points from the Secretary General's 2013 report (UN 2013), it merely re-emphasised most of the UN's principles on SSR. This may not be considered particularly noteworthy, except that in the environment of the UN this was not merely an internal UN document, but one with the full political weight of the Security Council. These types of resolution will then be drawn upon in the future as a part of a potential political process with concomitant political pressure.[26]

In concluding this section on the UN's approach, it is clear from an examination of their key SSR documents, and specifically the ITGN, that the UN has drawn extensively from the OECD in framing their SSR policies and principles. There are obviously differences of emphasis but the UN's thrust of national ownership, the political nature of SSR, good governance and tailored approaches to programmes is undoubtedly the same as that espoused by the OECD. As the UN gains more operational experience from the nine field missions with an SSR mandate,[27] their approach to SSR will inevitably continue to evolve. It would now be appropriate to turn to the third of the IGOs involved in support to SSR – the EU.

[26] For example, UNSCR 2252(2015) and UNSCR 2290(2016) on the situation in South Sudan both drew upon UNSCR (2151(2014).
[27] See the UN SSRU website. Available at: http://www.un.org/en/peacekeeping/issues/security.shtml [Last accessed 6 October 2017].

The EU Approach and Frameworks

As the EU saw itself as a security provider with its own development agency (International Cooperation and Development - DG DEVCO),[28] it was inevitable that it should also seek to codify its own approach to SSR. It then contrived to develop two separate approaches: one by the Council (Council of EU 2005) and one by the Commission (EC 2006). Both drew directly from the OECD[29] (Britz 2008:83) but nonetheless there were still conceptual as well as terminological differences between the two organisations.[30] (Law & Myshlovska 2008:6-7) These were harmonised to an extent by the Council in 2006 (Council of EU 2006) but it was still an issue that drew criticism from Spence & Fluri (2008) and fellow authors in the book *The European Union and Security Sector Reform.*[31] It was not until 2016 that that these anomalies were fully rectified with the publication of the High Representative's *EU-Wide Strategic Framework to Support SSR*.[32] (EC 2016)

Turning now to some of the detail, including the definitional debate, the EU's earliest forays into this field were through its role as a major development donor. This changed when the EU promulgated its first European Security Strategy (ESS) in 2003 and articulated that it had a potential role to play in SSR as "… part of institution building." (EU 2003:12) When the Council and Commission produced their respective concepts on SSR in 2005-2006, they were in harmony over the OECD's broad definition of the SSR concept[33] but struggled, as a supposedly unitary organisation, to bring convergence between the security and development objectives. (Doelle & de Harven 2008:39-42)

[28] See the DG DEVCO website at: https://ec.europa.eu/europeaid/general_en [Last accessed 22 July 2017].
[29] At this stage it was from OECD 2005a.
[30] For example, the Council used the term 'security sector reform' and the Commission 'security system reform'
[31] Note in particular the comments by van Eekelen 2008:112-115, where he criticises the incoherence of the EU's approach and its lack of ability to "… identify a chain of measures and events that lead to the desired outcome of reform." (*Ibid*:115)
[32] By this stage there was a heavier reliance upon OECD 2007a.
[33] The EU's definitions and principles for SSR are Appendix 3.

The issue of cooperation with other donors, as well as partner countries, would seem to be a recurring theme for both the Council and the Commission (Buxton 2008:36) but, again, the EU struggled with the WGA. Unlike a government, which would normally have separate ministries dealing with SSR (ie foreign, development and defence) with an overarching coordination body in the form perhaps of a Cabinet Office and a Prime Minster, the EU has three pillars in dialogue and which "… are parallel, separate and unequal structures. […] This imbalance between the pillars in terms of integration complicates coordination." (*Ibid*:51) The point is well made as the first pillar is supranational and uses qualified majority voting (QMV), whilst the second and third pillars have a shared ownership of both member states and the Commission and make decisions by unanimity. Furthermore, as Bailes comments:

> "… a combination of EU inexperience with the notoriously fragmented ownership and control of practical inputs between Council and Commission, different bits of the Commission, civilian and military etc has resulted in emphases within individual SSR actions that are not only partial and unbalanced, but inconsistent from place to place." (2011:70)

It is therefore little surprise that it took the EU so long to formulate its 2016 framework.

It is not proposed to go meticulously through the EU's path from 2006 to 2016 but mention needs to be made of the EU's experience of SSR missions in the field. It has undertaken a number of missions in recent years that have had some form of SSR dimension. These range from civilian CSDP missions that assist with capacity building or institution building elements of the security sector (eg police reform in Macedonia and rule of law reform in Kosovo respectively) (Dursun-Ozkanca & Vandemoortele 2012:140) to missions that were explicitly labelled SSR missions with the objective of reforming all the security institutions in a holistic manner (eg DRC and Guinea-Bissau). (Faleg 2014:209) The final mission to mention is the non-executive EU Advisory

Mission (EUAM) to Ukraine, which was launched in 2014. The EUAM mission is:

> "…to assist the Ukrainian authorities towards a sustainable reform of the civilian security sector through strategic advice and hands-on support for specific reform measures based on EU standards and international principles of good governance and human rights."[34]

This focus on the civilian sector is obviously at variance with the more holistic approach to orthodox SSR but it is believed that this distinction was made to ensure that the EU and NATO did not overlap in their respective mandates.[35]

It is still too early to form a judgement on how effective the EUAM is, but there is a general consensus that most of the other missions have had mixed results. (Faleg 2014:222-224; Pagodda *et al* 2014:15-17) Part of the problem would seem to be a lack of understanding among some of the constituencies of the SSR concept (*Ibid*:217-221) and part a lack of internal cohesion and coherence within the EU. (Dursun-Ozkanca & Vandemoortele 2012:154) It was hoped that the arrival of the European External Action Service (EEAS) in 2010 would improve the situation, particularly through improved coherence of EU stakeholders (Jayasundara-Smits *et al* 2016:4) but there has been only marginal evidence of this. Nonetheless, it was one of the reasons that prompted the High Representative to launch a 'EU Comprehensive Approach to Conflicts and Crises' (EU 2013) and this has contributed to the eventual development of the new EU framework for SSR. (EC 2016) Time will tell how useful the framework will be.

In drawing this section to a close, it is clear that the EU, like the UN, has drawn heavily upon the OECD framework. It seems to have suffered, however, from

[34] 'EUAM Ukraine – Our Mission'. Available at: http://www.euam-ukraine.eu/our-mission/about-us/ [Last accessed 7 October 2017].
[35] This was the reason given by a member of EUAM staff in Kiev on 27 October 2014 shortly before the mission was formally launched. The researcher was lecturing on an ESDC course in Kiev at the time.

both institutional incoherence as well as the inability to match mandates with appropriate resources. The difficulties it experienced in adopting a WGA is an example of the former (Buxton 2008:51) and the Guinea-Bissau mission being a prime example of the latter. (Faleg 2014:214-216; Bahnson 2011:270) It also seemed to suffer from a paucity of staff dealing with SSR in the various pillars, which is at variance with the SSRU in the UN and its system-wide coordinating body, the IASSR-TF. It is possible that the EU has learned lessons from its experience and that missions such as the EUAM in Ukraine might be successful but it is too early yet to make that judgement. Time and space preclude a more detailed treatment of the EU's approach to SSR except to say that it looks like a fertile field for further research.

The OSCE Approach and Framework

The focus now shifts from the EU to the OSCE. The aim of this section is therefore to analyse the OSCE's approach to SSR. The OSCE has produced a number of capstone documents directly relevant to the security sector, from the *Helsinki Final Act* (OSCE 1975), its *Code of Conduct* (OSCE 1994)[36], to its *Vienna Document on Confidence and Security Building Measures* (OSCE 1999). Its key focus has long been on the democratic control of armed forces and security sector governance. The OSCE built up experience and knowledge in this field and it is acknowledged that these documents have provided some of the historical underpinning of the SSR concept (eg Law 2007:12). The difficulty, as explained by Ghebali, is that the OSCE still needed to develop:

> "… an SSR agenda based on an overarching framework complemented by operational guidelines." (2007:133)

There had been institutional and political attempts to formulate such an approach, but to no avail. Eventually, in 2007 under the guidance of the Spanish Chairman, the OSCE produced a *Chairman's Perception Paper on*

[36] For more detail, see earlier section entitled: 'OSCE Code of Conduct' in: 'THE BUIDLING BLOCKS OF SSR'.

OSCE on Basic Norms and Principles in the Field of Security Sector Governance/Reform. (OSCE 2007) This provided some overarching guidance that replicated the essence of the OECD principles and also confirmed the use of the term 'Security Sector Governance and Reform' (SSG/R). Knill *et al* (2015:12) point out that the room for manoeuvre by OSCE's secretariat to launch new initiatives is formally rather limited. Nonetheless there is always scope for shaping events through its *amanuensis* and agenda setting role, as well as its direct interaction with the rotating chair. It is less effective when one or more member state decides they do not want to pursue a particular policy. This may be the case with SSR, although evidence of this is scarce. One scholar, Lewis (2011:10-11), does hint at an East-West divide as the reason for the road block, with more autocratic states in Central Asia not wishing to follow OSCE commitments on democratisation and human rights that form a fundamental part of SSR.

Little further progress was made on SSG/R until June 2014, when a so-called 'OSCE Group of Friends of SSG/R' was formed by Slovakia, Switzerland and Serbia. This is reminiscent of the UN's 'Group of Friends of SSR' that was set up by Slovakia in 2007 and presumably with the same intent to push an SSR agenda by states other than the main Western powers. The first act of this group was to chair a joint OSCE-UN conference on SSG/R in July 2014 and a commitment by the OSCE to develop guidelines for the concept.[37] The next act was a statement by the Slovak Deputy Prime Minister and Foreign Minister, Miroslav Lajčak, at an OSCE Permanent Council Meeting in September 2014 extolling the need for a more coherent approach to SSG/R.[38] After the OSCE held another conference on SSG/R in Belgrade[39] in April 2015, the scene was set for the agreement and publication of a comprehensive document in the form

[37] See article: 'OSCE and UN Co-operation in Security Sector Governance and Reform' dated 14 July 2014. Available at: http://www.osce.org/secretariat/120943 [Last accessed 21 August 2017].
[38] See: 'Speaking Notes of Slovak Deputy Prime Minister and Foreign Minister, Miroslav Lajčak, at OSCE Permanent Council Meeting' dated 18 September 2014. Available at: http://www.osce.org/pc/123863?download=true [Last accessed 17 August 2017].
[39] See OSCE Press Release dated 21 April 2015. Available at: http://www.osce.org/cio/152411 [Last accessed 17 August 2017].

of *Security Sector Governance/Reform – Guidelines for OSCE Staff* (OSCE 2016).

There is now a small OSCE team dealing with issues pertaining to SSG/R, which is embedded within the Forum for Security Co-operation Support (FSC). The FSC is the main OSCE body dealing with the politico-military aspects of security and provides a forum for political dialogue for diplomats from OSCE participating States. The human resources vested in the SSG/R team are more akin to the EU than the UN's SSRU, so progress is likely to be modest but at least there is a focus.

The OSCE's detailed approach to the security sector and principles are at Appendix 2. In a similar fashion to both the UN and the EU they have broadly followed the guidelines in the OECD's *Handbook on SSR* (OECD 2007a), whilst quite naturally tailoring parts to reflect its position as a regional IGO. Curiously, however, it does not suggest a specific definition of SSG/R. A review of the 2016 Guidelines echoes this lacuna. The reasoning for this decision is to be found in the proceedings of an OSCE Focus Conference in 2013 that dealt with several security issues including SSR (OSCE 2013):

> "… the OSCE has to date refrained from formalizing a definition of SSG or SSR in its official documents. This paper is based on commonly agreed definitions,[40] which comprise the idea that SSG points to the desired normative end state of the security sector, while SSR is the related political process aimed at achieving the envisioned end state. SSG is understood to refer to formal and informal structures and processes of security provision, management and oversight with in a state. Understood in normative terms, SSG is subject to the same standards of good and democratic governance as all other public services. For the purpose of this paper, all activities that aim at improving SSG are considered SSR, even if not named as such." (*Ibid*:9-10)

[40] Presumably from OECD and the UN.

It could reasonably be argued that this explanation is somewhat contrived but given the divergent political leanings of the member states this is probably to be expected. In common with both the UN and the EU, the OSCE's record of supporting successful reform has been mixed. Where the leadership of a country being supported with reforms is westward leaning with a commitment to democratic values and good governance, then successes have been found, even in states with a hybrid form of democracy. Where the states are authoritarian or non-democratic, results have been poor or non-existent. A key failure by the OSCE would seem to have been a lack of political engagement with the beneficiary state leadership, as well as a failure by the OSCE to promote its own vision of security with human security at its heart – all counter to the principles of SSR and SSG/R. (Lewis 2011:51-53; Shkolnikov 2009)

In ending this section on the OSCE's approach to SSG/R, it is apparent that the organisation has recently made real progress with the publication of its guidelines. Notwithstanding the difficulties of achieving a consensus on the meaning and function of the concept, the guidelines reflect the prevailing thrust of the OECD *Handbook on SSR* (2007a) with human security and governance at the core of its approach, and away from a statist view of security. In so doing it has harmonised its approach with the other IGOs discussed in this Chapter. Whether this then allows the OSCE to overcome some of its political and institutional problems in delivering SSG/R programmes in the future remains to be seen. If it adheres to its guidelines then it should at least have a chance of success.

Reflecting Upon The Approaches of The Four IGOs

In reflecting upon the approaches of all four IGOs to SSR, it is worth noting two issues. First, and perhaps the most striking, is the time that it has taken both the EU and OSCE to produce their own frameworks given that their documents have ended up being quite similar to the original OECD framework from 2007 and the UN's in 2008. As Law pointed out some ten years ago, it is inevitable

that the IGOs' definitions and frameworks will always reflect their individual needs and concerns as independent institutions (Law 2007:17), but there has now been a significant convergence. This should mean that working together in the field with the other IGOs will become much easier as their approaches should be similar. This degree of convergence of approach, however, probably owes a debt to the normative power of the OECD, and in particular the *Paris Declaration on Aid Effectiveness* (OECD 2008f), as well as the legitimacy that the OECD has accrued. As Walker argues:

> "(O)nce a program has been adopted by a large number of states […] it becomes extremely difficult for state decision makers to resist even the weakest kinds of demands to institute the program […]; once a program has gained the stamp of legitimacy, it has a momentum of its own." (1999:890)

Second, whilst the OECD framework and definitions would seem to have gained salience, the results in the field from the UN, EU and OSCE interventions would still seem to have been mixed. This might be because at least two of the frameworks are new and have not yet had time to undergo the process of enculturation. It might also be that a 'policy-practice gap' is still evident. (Bakrania 2014:3) It is possible that some form of longitudinal study of these IGOs' activities once the frameworks have become embedded would shed further light on their efficacy.

ANALYTICAL FRAMEWORK FOR NATO'S SUPPORT TO SSR

Having established some of the building blocks of SSR and the role that four SSR-relevant IGOs have played in the definitional debate, it would now be appropriate to address the similarities, or otherwise, of those IGOs in order to develop an analytical framework that could be used later in this thesis.

The definitions and principles of SSR that are espoused by the four IGOs were drawn into a table of 'good practice' in Appendix 2. Inevitably a degree of licence was taken in the capture of evolving concepts and of varying terms that have similar meanings. Nonetheless, it was possible to distil the essence and the results are reproduced below at Table 2.1.

Principles of SSR	OECD	UN	EU	OSCE
(a)	(b)	(c)	(d)	(e)
Understand the context of an SSR intervention	√	√	√	√
Political engagement is key	√	√	√	√
Encourage local/national ownership	√	√	√	√
Assist improvements in governance and Rule of Law but specifically with: - Effectiveness / Professionalism - Accountability - Oversight /Control of Armed Forces - Transparency	√ √ √ √ √	√ √	√ √ √ √ √	√ √ √ √ √
Adopt a holistic/comprehensive/ multi-sectoral approach	√	√	√	√
Encourage cooperation internally and externally	√	√	√	√
Technical and multi-disciplinary skills are essential	√	√	√	√
Norm (and standard) settings aligned with some form of conditionality encourages reform	√	√	√	√
Institutional and personal capacity building is essential for long-term sustainability	√	√	√	√

Principles of SSR	OECD	UN	EU	OSCE
(a)	(b)	(c)	(d)	(e)
Development of a national vision through a strategic framework (eg NSS) provides a direction for SSR over the longer-term	√	√	√	√

Table 2.1 Summary of SSR Principles Espoused by SSR-Relevant IGOs (Source – Multiple – See Appendix 2)

Given the homogeneity of the results, it would seem likely NATO should be following a similar set of practices. With just a few modifications the broad terms above would seem to offer a good model of analysis for use when considering NATO's experience in support of SSR. There is an obvious degree of overlap between a holistic/comprehensive approach with the need to encourage cooperation. It was therefore decided to combine them within the model.[41] NATO's role in capacity building is mainly through the norm setting and conditionality, so those two headings should also be included under one heading. Finally, the development of an NSS is an excellent tool for providing direction for SSR over the longer-term but it is also a key method in establishing local ownership. It could therefore be subsumed into the headings of both political engagement and local ownership. This leaves the following characteristics/headings that would form an analytical framework:

1. Context;

2. Political Engagement;

3. Local-National Ownership;

4. Good Governance;

[41] It is an approach that was also adopted by Law (2007:264).

5. Holistic Approach and Cooperation;

6. Technical Issues and Skills; and,

7. Capacity Building Through Norm Setting and Conditionality.

This framework will be used in analysing the case studies in Chapters 5 and 6, and then the cross-case study comparison at Chapter 7. Most of the key terms have already been used in this Chapter but, in order to ensure a full understanding of these characteristics, the next section is devoted to analysing them individually. Inevitably there will be an element of cross-cutting in the discussion and this will be addressed first.

CHARACTERISTICS OF SSR

Cross-Cutting Issues

Much is made of the need to address SSR in a holistic fashion (eg UN 2013:21; Faleg 2014:149), but with such a breadth of topics, there is an inevitable danger of analysing its characteristics in a piecemeal fashion. It is therefore worth stating now that most of the principles of SSR are cross-cutting and thus need to be considered at every stage. Indeed, Hendrickson describes SSR as a "… cross-cutting governance agenda …" whilst Blair (2002:9) and Welch (2011:251) describe the various elements as being analogous to strands of a rope that need to be woven together in order to make it strong and sustainable. Some elements, such as financial management within the security sector and ensuring that gender perspective is taken (eg OECD 2007a:49 and 51), will be mentioned throughout this thesis but are not addressed individually in this section. This is for reasons of brevity rather than a lack of import. The aim of this section is thus to analyse the seven characteristics that will be used in the model to evaluate NATO's support to SSR in the Western Balkans.

The Context of Reform

The *Handbook on SSR* (OECD 2007a) is replete with references extolling the need for donors to understand the local context through a process of assessment and analysis (*Ibid*:10-11), as well as stressing the inherently contextual nature of SSR. (*Ibid*:14) It also "… advocates an approach whereby the desired outcome and the context determine the priority, nature and scope of the programme." (*Ibid*:15) The other main IGOs discussed in the previous section would seem to echo these sentiments. (eg UN 2012a:26; UN 2012b:iii, 92-92; EC 2006:6, 8, 10; EU 2016:6-7; and OSCE 2016:7, 14, 19)

The rationale for this focus on country and regional context is quite simple. Although the principles for SSR have been articulated by IGOs such as the OECD, each intervention will still need to be tailored according to local and regional factors. Those factors will range from the existence of unfriendly neighbours (Collier 2008:51-62), the historical legacy of any previous conflict, whether there is a peace agreement in place, the general level of security, the maturity of the political actors, the institutional and personal capacities within the security sector and so on. (USIP 2009:Para 1.3 and 3.3.3) This is a view that is widely endorsed within the scholarly literature. (eg Law 2007:9)

One scholar who takes a slightly different tack is Hänggi. He uses a typology for context, which is based on three general reform contexts and could be useful in identifying common patterns and threads. They are a development context (where SSR is often used as a form of development assistance); a post-authoritarian context (for example the CEE countries in their quest for NATO and EU membership); and a post-conflict context (such as SSR in countries like BiH or Kosovo that have experienced recent conflict). (2004:9-15) Whilst there is some merit in cataloguing these contexts, it would seem to be important to add a fourth category and that would be an ongoing-conflict context. The Democratic Republic of Congo (DRC) would be one such example.

Nonetheless, as Coletta and Muggah correctly point out, all too often during such SSR interventions the context is ignored and "[a] growing number of practitioners are concerned that with the newly-crafted DDR and SSR hammers every […] context is treated as a nail." (Coletta & Muggah 2009:447) This one-size-fits-all approach has been particular apparent in countries where there is an on-going conflict such as Afghanistan where there is "… a penchant for short-term approaches and lack of consideration for the long-term sustainability of reforms." (Sedra 2013:372)

In the second section of this Chapter, it was stated that the practice of SSR owed a debt to management theory. In accordance with this thinking, Clingendael (2008:2) has described SSR as a "… highly political change process …" OD is one such method of implementing change and often uses a set series of key stages to develop a programme. These could include: a preliminary stage; analysis and diagnosis; agreement about the programme; action planning; an evaluation and review; and, finally, revise the aims and plans. (Cole 2004:212-215) The initial stages of such a schema would fit a model of analysis in order scope the environment. Understanding and tailoring SSR interventions according to the local context is never an easy task due to the barriers of language, culture and societal norms. Nonetheless, it is possible to achieve, at least in part, with a thorough assessment and analysis of contextual factors before committing to a particular intervention.

In bringing this section to a close, it is worth mentioning that the context for reform cannot be examined in isolation, and one of the key characteristics it interfaces with is the political context.

Political Engagement

Assisting a country to reform its security sector cuts to the heart of a state's security and thus sovereignty, so it is both highly sensitive and highly political. Such reforms could lead to a redistribution of power in a country. There would

probably be some elements of a ruling elite that will have benefited from the previous system and they are likely to be active spoilers against any proposed change, either individually or as institutions. (Egnell & Haldén 2010:32) Although this is well documented, Downes and Muggah suggest that SSR literature has not been helpful in that it only:

> "… grudgingly concede[s] that conventional SSR also underplays the chronological and often volatile evolution of security sectors historically, and the way security services are ultimately shaped by the vested interests of elite." (2010:137)

Power struggles are an integral part of post-conflict countries and serve to make complex situations more complex. Furthermore, as Podder (2013:360) remarked, "… the introduction of ethnic politics in the security institutions […] undermine their accountability and performance …", which was precisely the situation in BiH after the 1992-1995 war. The power play between ruling elites, civil society stakeholders and security institutions must be understood and recognised by donors, otherwise a return to violence could be the unintended consequence. Eckhard and Gaus (2014)[42] make this point very forcibly when they criticised the international community in South Sudan for training the Presidential Guard, whilst ignoring the ethno-nationalist tensions within the unit that eventually led to a resumption of fighting.

But SSR is more than just about power and privileges, as it touches upon societal values and freedoms, especially with regard to the governance agenda. It addresses the way a country sees itself and how it wants others to see it. Both are the business of politicians in most countries and thus very political. Reform of the judiciary also brings its own sensitivities as it seeks to build capacity to exercise oversight of the executive. (ISSAT 2012:11)

[42] 'No surprises in South Sudan, or in the Central African Republic' dated 5 February 2014. http://mondediplo.com/blogs/no-surprises-in-south-sudan-or-in-the-central [Last accessed 15 August 2017].

The importance of politics and political engagement to the implementation of SSR is well-recognised by the normative frameworks of the SSR-relevant IGOs. (eg OECD 2007a:28-40; UN 2012b:130-131) Including the idea in an SSR plan and ensuring that it is applied in the field are, however, two completely different issues. As Sedra remarks:

> "While SSR orthodoxy explicitly recognizes the political nature of the process, and there are few political environments more complex than Afghanistan's, the country's SSR agenda was typically framed and approached in a largely technical and apolitical manner." (2013:374) [43]

Perhaps the most glaring deficit created by the approach described by Sedra was an absence of local ownership. If local politicians and civil society have no say in the reforms being pursued then they are unlikely to be sustainable over the longer-term. This point is well made by Lawrence in the quote at the start of this Chapter.

Perhaps the best way to ensure that SSR is fully included into the political process is to ensure that is put onto the national agenda of the beneficiary country. (OECD 2007a:31) This could be done through a range of activities which would create dialogue with both government and civil society but one particularly useful method is by developing a strategic and doctrinal framework for a country's security sector through the medium of an NSS. This process has to be led by local politicians and public servants, supported by civil society, and needs to reflect their joint vision of security. (UN 2012b:123-124 and 139) It would then allow a national consensus to be created on a range of security issues (Qehaja *et al* 2013:6) and in a post-conflict environment provide a set of priorities to inform decisions by both donors and the host nation. (Panarelli 2010:3) Given that an NSS is normally conducted every five to ten years (or when there is a change of government), it better matches the timeline of national development than most donor timelines.

[43] This technical approach will be discussed in more detail later in this Chapter. See section entitled: 'Technical Issues and Skills'.

There is a danger, however, in this form of political engagement that should be briefly mentioned. Pursuing an NSS approach, for example, implicitly presupposes a Westphalian model of a state, which could lead donors into engaging just with a narrow political elite. This would ignore the people-centric approach recommended by all the SSR-relevant IGOs. (eg UN 2012b:15 & 119)

There are many states undergoing SSR where political power is vested in local clans and tribes, or decentralised semi-autonomous regions, rather than in central governments. Podder addresses the tension between the dominant Westphalian model and the reality in many regions of the world where security on the ground is provided by a mixture of formal and informal systems that co-exist. She describes this a 'hybrid political order.' (2013:356) Traditional justice systems sitting alongside more formal justice systems in Rwanda is one such example.[44] The key is that wherever possible a bottom-up approach should be attempted, taking into account the daily lives of people in the communities. (OECD 2007a:31-34)

In summary, donors need to have deep and sensitive understanding of the political context of a beneficiary country including the power vested in clans and tribes well away from state capitals. As SSR is essential political, donors need to engage with the political drivers of change within a country and specifically within the security sector. "[P]olitics must be placed centre stage …" (Ball 2014:8) of any SSR intervention and, with it, political engagement across the political spectrum. This latter point is particularly important as SSR reforms must not "… secure the state at the expense of the people." (Dursun-Ozkanka & Vandemoortele 2012:15) Only by incorporating a bottom-up political approach as well as a top-down approach can the reforms engendered by SSR be fully owned by the people and the government of the beneficiary state.

[44] See: 'The Justice and Reconciliation Process in Rwanda' dated March 2014. Available at: http://www.un.org/en/preventgenocide/rwanda/pdf/Backgrounder%20Justice%202014.pdf [Last accessed 12 August 2017].

Local/National Ownership

Having discussed the need for political engagement, it would be appropriate to follow up on the related issue of ownership. The concept of 'local ownership' has been a key tenet of the development community for many years but it gained real prominence in the mid-1990s. The World Bank conducted considerable empirical research into the effectiveness of aid and subsequently highlighted local ownership as a key enabler to effectiveness. (World Bank 1995:ix-x) This support led the OECD-DAC to codify the concept (OECD 1996:9) and soon the term became enshrined in the policy documents of development agencies such as DFID. (DFID 1997:54) Whilst its origins may have been in the field of development, it is hardly surprising given the previous discussion of the security-development nexus, that the principle of local ownership has also been embraced by the SSR community. The aim of this section is to explore what is meant by local ownership in the context of SSR, its link to the other principles of SSR and the obstacles to its implementation in the field.

Nathan (2006 & 2007) and Donais (2008a, 2009a & 2009b) have been key writers in this field. Nathan suggests that the principle of local ownership of SSR means that "… the reform of security policies, institutions and activities in a given country must be designed, managed and implemented by local actors rather than external actors." (2007:4) He goes onto argue that local ownership should not just be confined to the state but widened to include parliament and civil society, thus creating 'national ownership' rather than 'government ownership'. (*Ibid*:5) Mobekk (2010b:232) counsels caution with this definition, however, as he suggests that usage in the field often conflates the two terms, which inevitably leads to the exclusion of the people and civil society. Nonetheless, the term 'national ownership' is a term that has gained currency (eg World Bank 2009:14; UN 2013:5) but in this thesis both it and 'local ownership' are used inter-changeably.

The major IGOs involved in the support of SSR (OECD, UN, EU and OSCE) include the concept local or national ownership in their frameworks for SSR and stress its importance.[45] (OECD 2007a; UN 2012b; EU 2016; and OSCE 2016) In broad terms they follow Nathan's arguments and talk about 'people-centred support' and 'national ownership'. Whilst there seems to be consensus within policy, practitioner and scholarly literature that local ownership is a core principle and critical to the long-term sustainability of SSR (Donais 2008:288; Ball 2010:38-41; and Gordon 2014a:1-2), there is also plenty of evidence of a gap between the theory and practice of local ownership. This is particularly true in conflict-affected areas such as Afghanistan, where local capacity is weak or there is an ongoing insurgency. (Hansen 2008:42-54; Giustozzi 2008:220-226; Sedra 2013:374-375) In a review of the SSR and Peacebuilding literature the UN suggests that "… post-conflict SSR brings about an enormity of challenges that SSR – on its own – is unable to tackle." (UN 2012c:50) This would seem to question the viability of orthodox SSR in conflict environments. It would also seem to indicate that context is a key variable in the quality of local ownership and thus having a deep and meaningful understanding of the local context should be a pre-requisite to any SSR intervention.

Ball (2012:38) also makes a valid point when she argues that the views on security of the so-called 'locals' and the donors of the aid can be widely divergent. This tension can fatally undermine relationships. Where a donor may recommend improved transparency and accountability, a ruling elite might take a counter view as a means of retaining power. (Jackson: 2011:1809) If local actors do not share the underlying democratic values of SSR, there could be a clash between a western liberal approach and a non-liberal, possibly traditional approach. Where does this leave the pursuit of local ownership?

In Sedra's excoriating critique of the practice of the orthodox model of SSR and local ownership in Afghanistan (2013:371-384), he claimed that:

[45] See Appendix 3.

> "SSR activities were either directly imposed, with little effort to cultivate local ownership and build political consensus, or they were advanced on the back of alliances with particular elite constituencies, namely the Northern Alliance jihadis and the Western-oriented technocrats, who were not representative of Afghan society as a whole. The resultant weakness of local ownership, a key ingredient of SSR, can also be attributed to the absence of a sophisticated and nuanced political approach capable of navigating the complexities of this diverse and charged political environment and adapting reforms to it. The limited understanding of Afghan politics that informed donor political engagement left their interventions prone to manipulation and spoiler activity by local power brokers." (Sedra 2013:376)

This lack of attention to local ownership was exacerbated by an absence of accountability mechanisms which would have provided the Afghans with a measure of ownership, a tendency on the part of donors to pursue illiberal and undemocratic reforms that suited the needs of the donors rather than the locals, and a focus on train and equip programmes rather than on orthodox SSR with its strong thread of good governance. (*Ibid*:376-377, 384) Sedra's criticisms bring into sharp relief whether the orthodox model of SSR and its reliance on local ownership is possible in a non-western country such as Afghanistan, which is riven by conflict. It is a question that will be returned to later in this Chapter.[46]

It would now be appropriate to examine how local ownership could be improved in recipient countries. Much would obviously depend upon the context, but Nathan (2010:29), for example, suggests that donors could provide support to local parliamentary staff and security studies institutes in building their capacity to draft security laws. As he says:

> "The introduction of security legislation based on democratic norms is a key component of SSR. It is a necessary condition for entrenching the rule of law, establishing the accountability of the security services, promoting respect for

[46] See section entitled: 'Current Debate on SSR'.

> human rights and ensuring that the durability of reforms is not dependent on a few individuals." (*Ibid*)

By assisting the local actors to understand the process but leaving them to frame the legislation, donor support would be acknowledging local traditions and culture, but still building local ownership. It is an approach that DCAF have taken in a number of workshops with government officials and others from the Western Balkans.[47] Similarly, Gordon argues that integrating local community safety organisations into SSR programmes could build ownership but such an approach would require the state and local security organs (eg local police etc) to be responsive to the people and be trusted by them. (2014:18)[48]

The actions of the international community, as a group, can also have a bearing on local ownership in a country. Nansen suggests that

> "… [w]hen international actors fail to convey a consistent and cohesive message or to address post-conflict challenges comprehensively, local ownership is in fact undermined. While local actors tend to perceive the international community as an amorphous mass, they are really facing a wide range of conflicting priorities and incompatible methodologies. […] Conversely, a more coordinated, comprehensive approach can make better use of conditionality to push a reform process forward in the face of potential spoilers." (2010:53)

The approach recommended by Nansen clearly has far wider applicability than just local ownership and speaks, *inter alia*, to the avoidance of duplication and thus more effective burden sharing, greater programmatic coherence for both donors and recipients, plus building political will in both the international community as well as the recipient country – both state and people. It is interesting to note that Mark Sedwill, NATO's Senior Civilian Representative

[47] These include DCAF/ISSAT training courses and GCSP capacity building courses using former MPs such as Peter Vanhoutte from Belgium and former Defence Ministers such as Willem van Eekelen from the Netherlands. Eg WGA-SSR course 2-5 September 2008.
[48] This is an issue that is discussed further in the context of BiH in Chapter 5.

(SCR) in Afghanistan recognised the value of such a perspective and persuaded NATO to adopt its own 'Comprehensive Approach' that addresses all of these issues. In his view, "… the application of a well-resourced comprehensive approach might not ensure success; but without it, we will fail." (NATO 2010c:1.2) It is an issue that is included in the analytical model and will be returned to later in this Chapter.

Having reviewed the literature on local ownership, there would seem to be a potential difficulty in judging how successful NATO has been in encouraging the process in the case studies at Chapters 5 and 6. A further search of the literature revealed a typology of citizen participation that has been designed by Sherry Arnstein (1969). A copy of the typology is at Figure 2.2 below.

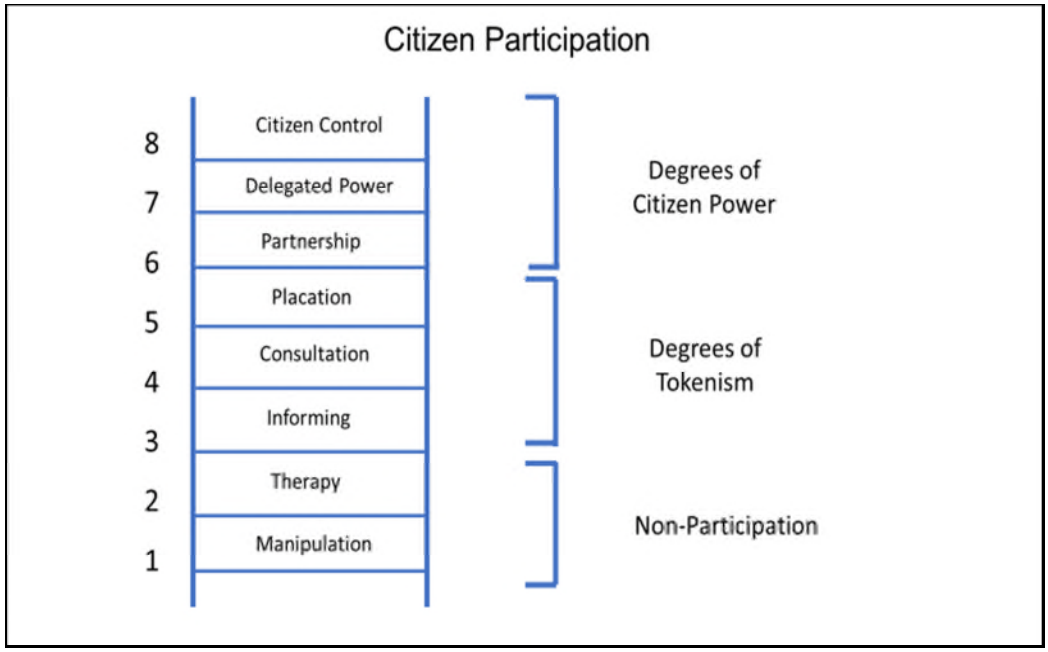

Figure 2.2
Eight Rungs on a Ladder of Citizen Participation
(Source: Arnstein 1969:217)

It has eight levels and seeks to delineate the extent of citizens' power in determining outcomes. The bottom rung equates to 'manipulation' with no participation from the citizen through to 'citizen control' at the top of the ladder,

where citizens have full decision-making powers. This model will be used to ascertain the level of local or national ownership for NATO's support to SSR in BiH and Kosovo. It is inevitable that such a simple model will have limitations but these will be examined in more detail in Chapter 8. The next SSR characteristic to be analysed is governance.

Governance

Although the term governance has only been in prominence for a relatively short time, the word itself is understood to have much older roots. Kjaer (2004:3) suggests that the etymological origins of the word came from the Greek word '*kubernân'*, meaning to pilot or steer[49], and was used by Plato to describe the design of a system of rule. This apparently led in turn to the mediaeval Latin word, '*gubernare'*, meaning rule-making or steering. Pierre and Peters (2000:1-2) take a more contemporary standpoint by referring to the French word '*gouvernance'* from the 14th century. In recent years it has been hard to hear mention of SSR without the term governance being mentioned in the same breath, but its meaning is open to interpretation. (eg UNDP 2002; Ball *et al* 2004; Hänggi *et al* 2004; Anten 2009 and Bryden *et al* 2009). The aim of this section is to clarify governance as a characteristic of SSR.

The abstract nature of governance is often difficult to explain to the layman, so it is worth turning to the World Bank, which defines the concept as follows:

> "Good governance is epitomised by predictable, open, and enlightened policy-making (that is, transparent processes); a bureaucracy imbued with a professional ethos; an executive arm of the government accountable for its actions; and a strong civil society participating in public affairs; and all behaving under the rule of law." (World Bank 1994:vii)

[49] The idea of 'steering' is still an element of modern governance, as is suggested by the title of Jon Pierre's book: 'Debating Governance: Authority, Steering and Democracy'. (Pierre 2000)

Whilst there are multiple other meanings of governance, the World Bank's definition would seem to suggest that governance has two complementary aspects: one that is state-centric and involves the behaviour and professional standards of both the government and public servants; and the other the normative role to be played by civil society. (Pierre 2000:3) This sense is echoed by Hydén but he introduces an informal aspect alongside the formal one:

> "Governance is the stewardship of formal and informal political rules of the game. Governance refers to those measures that involve setting the rules for the exercise of power and settling conflicts over the rules." (1999:185)

An analysis of Pierre's two levels of governance taken from the discussion above, would seem to indicate a rather simple duopoly. In reality, there are multiple-levels of legislation, rules and normative standards starting with the UN (eg UN Charter of Human Rights) at the supra-national level, the EU and NATO at the regional level, national frameworks of laws and regulation, and local levels of, mainly informal, frameworks. Cutting across so many different levels is challenging and highlights the need for contextual analysis in SSR as well as addressing the subject in a holistic fashion, not least when some of the rules at different levels are in opposition to each other. For example, some elements of traditional justice systems in Africa may include "… uncomfortably 'pre-modern' values of patriarchy, hierarchy and superstition – […which can be seen to be …] failing to meet acceptable standards of legality and accountability." (DFID 2010:49) These are difficult issues because often traditional or informal systems in the countryside will have more legitimacy than legal and accountability frameworks created in a country's capital. There is no simple answer to this type of conundrum except to work with local actors in order to build a consensus on what is acceptable and what unacceptable.

Moving from frameworks to the characteristics of governance also poses some dilemmas. The UNDP suggests that there are nine characteristics, which are listed at Appendix 4. The SSR-relevant IGOs include slightly different ones,

although they are broadly similar.[50] For SSR support Law (2007:19 and 34) suggests accountability, oversight and transparency. Given the emphasis allocated by Borchert (2003) to effectiveness and efficiency, this will also be included in the mix. It is proposed to examine each of these characteristics in turn.

Effectiveness and Efficiency.

The effectiveness and efficiency of security sector actors is crucial to the delivery of security to all members of society, not just the political elite. (Brinkerhoff 2007:5-6; OECD 2007a:33 and 36) An assessment of the sector will highlight how effective it is and could include such questions as to whether the actors are properly structured for their role, whether they have the correct resources, are the right policies in place for their effective function, and whether they are being managed correctly. Ultimately, SSR should be focused on: "… ensuring a balance between increasing the effectiveness of security and justice actors, while ensuring that there is appropriate governance over how that enhanced effectiveness is utilized." (Keane & Downes 2012:2) There are numerous examples, however, where operational effectiveness has been improved but the standards of behaviour and the oversight of those actors has been ignored, which has undermined the overall impact of SSR. (Fitz-Gerald 2012:308) A case in point is 'train and equip' programmes that are launched under the cloak of SSR, but which have no mandate to improve the quality of accountability or oversight of the security actors involved. This just creates the potential for a service that provides for the elite whilst delivering a poorer service for the people due, *inter alia*, to corruption and other predatory activities. (Chuter 2009:1, Jackson 2010:1819; Sedra 2013: 376-377 & 384)

Another source of tension in improving effectiveness and efficiency is the role played by informal or traditional security actors. Whilst some of these groups will have local legitimacy and are accessible to the people, they can have the

[50] See Appendix 3.

disadvantages of supporting neo-patrimonial approaches to justice and security, in conjunction with the dangers of further fragmenting an already weak and incoherent security sector. There is also the critical question of whether donors would be able to provide support on a sufficient scale to informal actors to make a difference. Bottom up approaches to SSR will remain important, however, in order to ensure that security is people-centric, but a balance needs to be achieved with the more formal structures. (van Veen 2014:3-4; Podder 2013:373-374) There are three key aspects for the donor community to remember. First, they should strive to ensure that "… support for security-sector capacity [… is …] linked to support for oversight and accountability." (Keane & Downes 2012:2-3) Second, externally-driven processes are unlikely to work. (ISSAT 2012:8) And, third, the cost of improving laid down standards of professionalism and legal frameworks of accountability is relatively low when compared to building the operational capability of security actors, but its long-term impact can be out of proportion to those costs. (ISSAT

Accountability and Transparency

Accountability connotes the provision of checks and balances that are imposed upon all actors in the security sector, including civil society organisations. (UNDP 2006:35) As Hyden's definition of governance suggests, these include both formal and informal mechanisms. The formal mechanisms can include regulatory frameworks, oversight mechanisms, ombudsmen, chains of command, civilian control of the armed forces, parliamentary defence committees etc. More informal ones can include oversight by the media, academia and ordinary citizens, although these require a relatively high level of transparency within the security sector. Accountability also implies that security actors are obliged to explain their actions and, should they fall outside the regulatory framework, then sanctions can be imposed. (Hänggi 2003:16-17) Transparency has traditionally been acknowledged as a key enabler for citizens to make informed choices about the quality and appropriateness of government

actions. In recent years, however, transparency has been used more extensively to improve a range of services both in the public and private sector.

Fox (2007:667-669) has attempted to explain how some forms of transparency are better at leveraging accountability than others. He argued that at one end of the scale there is 'opaque transparency' (where institutions disseminate information which does not really impart how they operate in practice) and at the other there is 'clear transparency' (where the information provided by institutions impart real clarity on funding, processes and policies. This can lead to 'soft accountability' and a degree of what he terms 'answerability'. This is obviously needed if institutional change is the goal but, on its own, it does not guarantee 'hard accountability' (where sanctions can be applied). For this to be achieved there needs to be some form of intercession by other actors (for example Parliament in the case of oversight within a Ministry of Defence). Table 2.2 provides a rough approximation of these concepts.

<table>
<tr><td colspan="2">Transparency</td><td colspan="2">Accountability</td></tr>
<tr><td>Opaque</td><td>Clear</td><td>Soft</td><td>Hard</td></tr>
<tr><td colspan="2">Dissemination and access to information</td><td></td><td></td></tr>
<tr><td></td><td colspan="2">Institutional 'answerability'</td><td></td></tr>
<tr><td></td><td></td><td></td><td>Sanctions, compensation and/or remediation</td></tr>
</table>

Table 2.2: Unpacking Relationship Between Transparency and Accountability (Source: Fox 2007:669)

In conclusion Fox's argument is that transparency and civil society's capacity to influence can only go so far and that for 'hard accountability' to take form would include a paradigm or policy shift within the governing regime.

This concept is interesting as it does not necessarily take account of the power of the ballot box. In 2004 the World Bank developed a concept of "short and long routes" to accountability. (World Bank 2004) In the "short route" citizens are able to press for improvements in public service by engaging directly with service providers (eg the police or the courts). In taking the "long route" citizens use their political clout, either via the ballot box or via advocacy, to force policy makers and politicians to achieve the same end. Of course, the citizens are also able to try both routes at the same time. The outcome will depend upon specific contexts, and the disposition of the service providers or the politicians to act. (Kosack & Fung 2014:72-73) This latter point is well made and, to some extent, can depend upon a cost-benefit calculation by both the service providers and the politicians, either independently or individually. It therefore will also depend upon the level of governance already prevailing within a state. DFID has made extensive use of transparency-accountability initiatives (TAIs) over the past ten years but there are still gaps in its application which require unpacking in more detail. As Gaventa and McGee suggest:

> "Better insights are needed into the relationships between transparency, accountability, citizens' voice and participation, the conditions under which they interact positively, and what stimulates collective social action for accountability. The connections across various TAI 'fields' need to be strengthened to maximise learning. The black box of 'political will' that so often bars the way between TAIs and their sought impacts requires empirical unpacking." (2013:25)

This seems rather open-ended but, in examining how much impact TIAs have had, Kosack and Fung suggest, "[t]he answer, as with so many other questions in political science, seems to be that "it depends." Nonetheless, it would seem a fertile field for further research.

Oversight and Transparency

The link between oversight and transparency, like that with accountability, reflects the cross-cutting nature of all aspects of governance. The UN would seem to agree with this when it avers that "… [i]ndependent oversight of the security sector is essential to ensuring accountability and strengthening confidence in its governance …" but that it requires "… clear and transparent channels for substantive dialogue and cooperation between oversight institutions and statutory security sector actors." (UN 2012b:98-99)

Oversight bodies vary according to the context but normally conform to three broad categories: legislative accountability bodies (eg defence and intelligence committees), independent accountability bodies (eg ombudsmen and auditor generals), and public sector accountability bodies (eg inspector generals of armed forces and budget monitoring units). (Ball 2004: 55) The quality of such bodies is dependent upon such factors as the degree of independence, the guarantee of access to resources, knowledge of security issues and access to information about the process and policies of the security sector. (*Ibid*:65) The latter requires a degree of transparency that some security organs are loath to offer. Oversight of intelligence services and the internal affairs of prisons are always difficult but creating such bodies as parliamentary intelligence oversight committees and inspectors of prisons are a key indicator of the level of governance within a state. (UN 2012b:99-100)

In summary, scholars suggest that the concept of governance covers the whole range of institutions and their frameworks which are involved in managing a country. It includes accountable institutions that have appropriate levels of oversight and are transparent; ones that adhere to the rule of law and which have a zero tolerance for corruption. In essence these are all essential elements of a democratically accountable security sector and thus of SSR. (Hydén *et al* 1999:185; Ball *et al* 2004; Bell & Hindmore 2009.) The key for donors is to support reforms that strengthen capacity of government institutions and individual actors within the executive, whilst at the same time promoting the

agency and participation of civil society in the governing process. (Kjaer 2004:11)

A Holistic Approach and Cooperation

The OECD states that "… [h]olistic and comprehensive reform — or a system-wide approach — is SSR's overarching objective." (2007a:29) This view is echoed by the other SSR-relevant IGOs such as the UN, which emphasises the need to conduct a comprehensive analysis of the situation on the ground in order to avoid piecemeal reforms that foster incoherence. (UN 2012b:63-64 & 70-71) The scholarly literature would also seem to endorse this approach. (eg Bryden 2007:81; Schnabel *et al* 2012:13) More interestingly, this was also formally underwritten by IGOs such as the EU and NATO at the 'Coherent, Coordinated and Complementary' (3C) Conference in Geneva in 2009.

Given the advice that practitioners should adopt a holistic and comprehensive approach to SSR, it would seem right to unpack its meaning in more detail. It does not mean that an SSR intervention needs to focus on everything, rather it means it needs to be aware of what else is happening in the security sector and the interdependency of other actors and actions. This can also be termed the Whole of Government Approach (WGA) which is used by OECD. (OECD 2007c) SSR is a multi-connected process with a range of component parts. For example, efforts to reform the police without engaging other elements of the justice sector would undoubtedly be sub-optimal. Attempting to provide for improvements to security for the people without undertaking some form of assessment or participatory survey of the people would seem to be a nugatory undertaking. (ISSAT 2012:11-12)

Turning to Figure 2.3 below, the holistic and comprehensive approach strives to build an understanding of the security and justice needs of the people. A state could then endeavour to meet those needs through an over-arching political

strategy such as an NSS[51] or a national SSR strategy. Depending upon the needs to be met, these strategies would develop a range of thematic areas for reform, such as defence, the courts etc. Inevitably there will be specific cross-cutting issues such as gender that will need to be incorporated across all the thematic areas. The strategies would also need to take account of other reforms within SSR such as DDR and Small Arms and Light Weapons (SALW) control. (ISSAT 2012:12; IWGNS 2009)

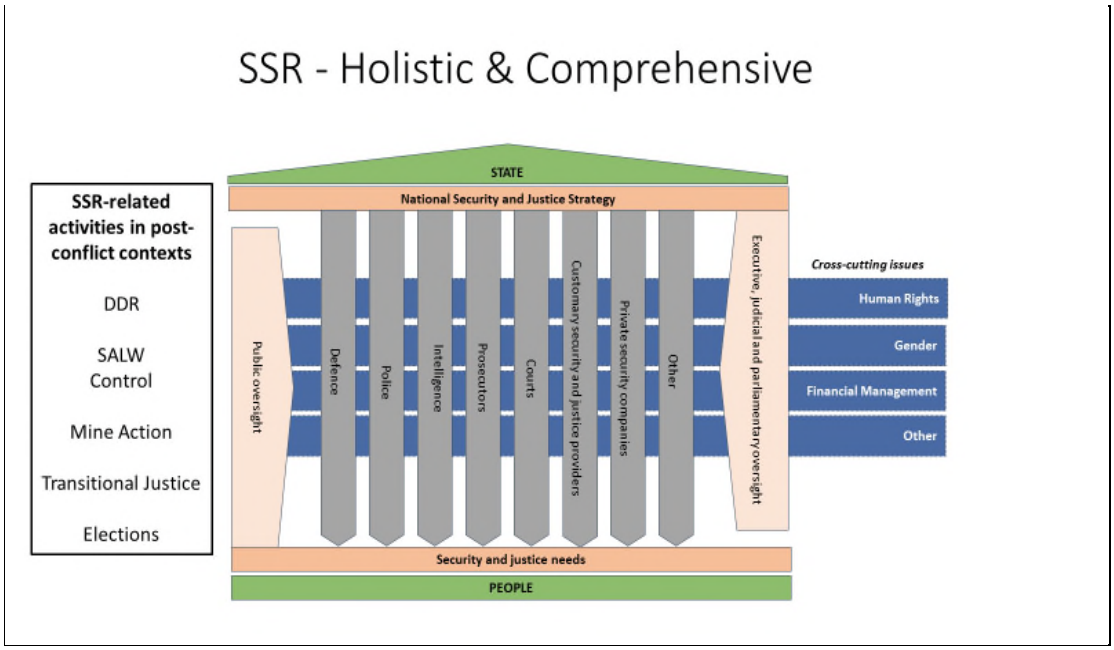

Figure 2.3: SSR – Holistic and Comprehensive
(Sources: Downes & Muggah 2010:139; ISSAT 2012:11)

This is an undeniably complex process and one that benefits through cooperation from all the actors involved – national and international. (UN 2012b:72, 98-99, 102) One of the main goals for the OECD *Handbook on SSR* (OECD 2007a) was to support improved coherence and coordination within SSR and there would appear to have been a measure of success. (OECD 2010a) Both the EU and NATO have also recognised that they were unable to support reform efforts in isolation, and, in line with the results of the '3C' conference, they developed their own 'Comprehensive Approaches', which

[51] See section entitled: 'Political Engagement'.

emphasised cooperation with like-minded IGOs. (EU 2013: NATO 2010c) As Koops explains, the cooperation between the EU and NATO has not always been smooth and has been dogged with institutional rivalry. (2015:738-739) Nonetheless, there has still been a degree of mimetic isomorphism, which has aided the two IGOs' cooperation. (Koops 2012)

It is worth reflecting for a moment on the OECD's use of the term 'system' in SSR. Throughout the core OECD documents (OECD 2005a and 2007a) there is a consistent image of SSR as a system working within a system and a need to look holistically in order to achieve better understanding. It is not intended to dwell on systems theory except to say that this form of dynamic behaviour, where one element has an impact and consequence on other elements, is obviously not restricted to science. Moving from a bio-science perspective to a cultural domain, Rafferty explains how:

> "Hofstede describes the benefits of a holistic approach by using the metaphor of a number of blind men studying an elephant - the resultant confusion about the overall structure being an illustration of "the need for pooling subjective patterns". That is if the blind men were to share their individual insights they may perhaps understand that it is an elephant that they are dealing with and not a "snake, a stick, a disk, a column, a wall or a rope." (2007:4)

Following the Hofstede analogy, it would seem entirely sensible and practical for the SSR concept to adopt a holistic approach and encourage cooperation with other actors. Although as several scholars have pointed out (eg Albrecht *et al* 2010:81 & 85; Smith 2011:260-261) agreement to cooperate does not always translate into concrete action due to a range of institutional and wider policy reasons.

In summary, it should be noted that both the SSR-relevant IGOs and the scholarly literature would seem to support the need for a holistic approach to SSR in order to maximise impact. Similarly, no one donor or SSR-relevant IGO

has a complete range of tools to assist with SSR, so they also agree that it makes sense to coordinate with other actors, both internationally and nationally.

Technical Issues and Skills

Given the breadth of issues to be addressed as part of the approach to SSR, it is clear that a broad range of multi-disciplinary skills are required. (OECD 2007a:236) The SSR literature now firmly establishes the salience of politics over technical when supporting SSR (eg Sedra 2013) , so it will be rare that these technical skills will take priority but a balance of both would be required. There are a range of technical skills that would assist the reform process. These could include programming and planning, budgetary matters, to thematic areas such as intelligence reform or defence reform. (ISSAT 2012:12-13) As ever, the precise skills required will depend upon need and circumstance and will normally be ascertained through a rigorous analysis in advance of an SSR intervention.

There are perhaps two additional aspects to cover here: technical issues and technical (and other) skills. First, the main SSR-related IGOs provide much advice on technical issues that require attention. (eg OECD 2007a:236-247; UN 2012b:138-144) One of the main tools in the hands of the donors is the programming of SSR support in aid of the national actors. Unfortunately, these programmes tend to be short-term and overly complex due in the main to donor funding cycles and internal political constraints. (Keane & Downes 2012:4) A recent study into nine SSR programmes in four countries by OECD have consolidated some of these points into four key programme enablers, which are listed at Table 2.3 below:

Serial	Key Programme Enabler	What This Means
(a)	(b)	(c)
1	Enable programmes to engage politically on a	Creating the ability to act quickly in response to political developments (in

Serial	Key Programme Enabler	What This Means
(a)	(b)	(c)
	daily basis	the broadest sense as well as at the programme level
2	Increase the duration of SSR programmes to 6-10 years	Making a political commitment to a longer-term engagement based on partnerships with flexible financing
3	Develop detailed longer-term results as part of the programme	Define only intermediate results at the start of the programme and put a process in place to develop longer-term that are guided by a set of agreed principles
4	Ensure programme implementation is adjustable	Being able to respond operationally to developments and to learn from the experience of implementation

Table 2.3: Key Programme Enablers
(Source: OECD 2016b:11)[52]

It is still too early to be able to make a judgement whether donors have adapted these enablers and, if adapted, whether they are working. Nonetheless, they seem to address some of the issues raised by Keane and Downes (2012) as well as other scholars. (eg Ball 2014b; Albrecht & Kyed 2015:248-260)

The second aspect is technical (and other) skills. The blend of skills required by SSR staff dealing with national authorities are not just related to SSR. It may be that language skills have salience or change management skills. For those staff that are seconded to line ministries as advisors or mentors, or even heads of IGO missions in a beneficiary country, a much deeper range of personal experience and skills will be required. The OECD study above also provided a typology of strategic-level skills that are required, and these are listed below:

[52] Figure 2.4 is a pruned version of the original.

Serial	Category	High Level Abilities Required
(a)	(b)	(c)
1	Personality	- Resilient - Good listener - Trustful
2	Skills	- Coaching and mentoring skills - Cultural sensitivity - Change management - Political acumen - Facilitation skills
3	Knowledge	- Political/economy knowledge - Relevant technical knowledge

Table 2.4 Profile for International Security and Justice Staff
at the Strategic Level
(Source: OECD 2016b:72)

Whilst there is nothing particularly revolutionary in the above typology, there would seem to be merit in drawing upon it when analysing the skillsets of NATO staff in the two case studies. It is also intended to draw upon an ISSAT Operational Guidance Note (OGN)[53] that provides practitioner guidance on advising and mentoring. Competence and skill frameworks do not figure large within the SSR literature, which is surprising given the funding related to SSR. This would therefore seem to be an area for further research.

In summary, it is worth recalling that whilst technical issues and technical skills will not normally have the same salience as political skills, they are still extremely important to the success of SSR engagements. As the title of the

[53] See ISSAT OGN 'The Security and Justice Sector Reform Adviser'. Available at: http://issat.dcaf.ch/download/1181/8973/ISSAT%20OGN%20-%20The%20Security%20and%20Justice%20Reform%20Adviser.pdf [Last accessed 21 September 2017].

OECD study mentioned above suggests: “More Political Engagement, More Change Management”. (*Ibid*)

Capacity Building Through Norm Setting and Conditionality

This section builds upon this theme of ‘change management’ and analyses how to build capacity in a beneficiary state through the medium of norm setting and conditionality.

A 2015 report by DFID suggests that the literature on the definition of ‘capacity’ and ‘capacity building’ within SSR is inconsistent. (DFID 2015:10) So to begin this analysis, it is worth referring to the OECD’s definition of ‘capacity’, which is “… the ability of people, organisations and society as a whole to manage their affairs successfully.” Its definition of ‘capacity building’ [54] is “… the process whereby organisations and society as a whole, unleash, strengthen, create, adapt and maintain capacity over time.” (OECD 2006d:12)

Capacity building has traditionally been focussed on two levels: individual and institutional.[55] The activities range from training (mainly individual where NATO features prominently), to technical assistance (in the form of advising, mentoring, or helping draft legislation), to the development of structures and institutions (such as assisting in establishing the oversight and accountability linkages between parliament and the armed forces). The latter is particularly difficult as it plays to the power and influence structures within a country and seeks to change behaviour as well as structure. (DFID 2015:10-12; OECD 2006d:22) In the 1990s much emphasis was placed on short-term technical experts to transfer knowledge but this became less supply-driven and input based to demand-driven and outcome based in the 2000s. It also

[54] OECD tend to use the term ‘capacity development’ rather than ‘capacity building’, although the latter term seems to be the more dominant in the literature and will be used in this thesis.
[55] Again, the literature varies in its approach. The OECD breaks the levels of analysis down to: individual, organisational and environmental. (OECD 2006d:13) In a DFID guidance note it uses: individual, organisational and institutional. (DFID 2009b:5) For the purposes of this thesis individual and institutional will be used, as this would appear to be more dominant.

acknowledged that external actors can undermine local ownership and, paradoxically, capacity. (UNDP 2008:23-24) Ignatieff drew attention to the phenomenon of "capacity sucking out", where well-qualified and educated local actors, who are removed from important jobs in a country, and take up highly-paid but low-value jobs with international organisations.[56]

The literature would seem to suggest that, notwithstanding the abundance of policy guidance to take local politics into account and to place governance at the heart of such capacity building initiatives, there has been a tendency to fall back on 'train and equip' approaches in fragile and post-conflict countries. (Scheye & Peake 2005a; Egnell & Haldén 2009; Sedra 2010b & 2013; van Veen 2014; DFID 2015) Clearly there are a range of other factors that impact upon the situation but as the OECD suggests:

> "Capacity building would be ineffective so long as it was not part of an endogenous process of change, getting its main impulse from within." (OECD 2006d:15)

One of the most difficult issues to overcome in capacity building is how to assist a beneficiary country identify what capacity is lacking and then how to fill it. An implicit step in this process is to start with some form of holistic assessment to identify the current situation in the security sector and then where the host nation wants to be at the end of the process. Management science offers a range of tools to conduct this analysis from 'gap analysis' to 'theory of change models', which can be applied according to the context and inclination. (ISSAT 2012:23-31; Sedra 2010b:9-17; OECD 2012:80-81)

The whole issue of analysis is the fundamental underpinning to capacity building. (OECD 20107a:10-12) There is a relatively standard programme cycle that is generally followed within SSR of planning, implementing, monitoring and evaluating. (OECD 2012:14) This was felt to be too generic, so the researcher

[56] As quoted in Blease (2010:12).

developed a six-stage approach to planning of potential SSR engagements. It is a generic approach, not a prescriptive model, and comes with a list of possible issues to be addressed and available management tools that might be helpful in the analysis. The full table is at Appendix 3.

Having provided an outline of capacity building, it is now time to turn to norm setting and conditionality. The OECD is clear that SSR should be based on "democratic norms" (OECD 2007a:21 & 28) but it accepts that local, informal norms might be shaped by national culture and precedent. (*Ibid*:51) The OSCE's 'Code of Conduct' (OSCE 1994) was a set of democratic norms (or standards) based around the idea of democratic control of the armed forces and one that was welcomed by the countries of the CEE in the aftermath of the Cold War.

The SSR literature sometimes refers to 'principles and norms' together (eg EC 2006:4; Dursun-Ozkanca & Vandemoortele 2012:145) thus conflating the two terms. 'Principles', however, "… are beliefs of fact, causation and rectitude." (Krasner 1983:2), whereas 'norms' "… are standards of behaviour defined in terms of rights and obligations." (*Ibid*) In addition a 'norm' can refer to something that is a standard for a specific thematic sector or actor (eg defence), and it is normally measurable.

Whilst the OSCE was certainly involved in norm setting, it is the EU and NATO that have held particular sway in this field during the past 25 years. With the end of the Cold War most of the states in CEE expressed a desire to join the Euro-Atlantic institutions. As Law explains:

> "… democratic security sector governance began to assume a central role in conditionality for partnership and membership for institutions such as the EU, NATO and the Council of Europe." (2007:8)

The EU included governance for the security sector as one of the key elements of the Copenhagen Criteria (*Ibid*:10), which was elaborated in 1993 as a set of

standards for future membership of the IGO. Similarly, NATO produced the *Study on Enlargement* in 1995 with same broad aim. (NATO 1995) Both organisations elaborated on these documents over time through *acquis* and PfP documents, which further clarified the set of norms and the conditionality required to become members. There is a consensus that the aspirant countries gained immense benefit from such documents, because they accepted the conditionality that was on offer and changed accordingly. Taking a phrase from institutional theory, this allowed transformation to occur and a degree of mimetic conversion between the aspirants and the institution.

Aybet and Bieber suggest that this approach within CEE included two inter-related processes: rationalisation and socialisation:

> "Rationalisation refers to the cost–benefit analysis of the elites in the target state, who see that acquiring these norms will benefit their own political goals. Socialisation refers to the internalisation of the institution's norms by local elites; in a way the external norms become 'their' norms." (2011:1911)

Whilst this process of transformation was relatively smooth in the CEE, because there was an acceptance by both the political elite and the people that they wanted membership of both the EU and NATO, other countries have been less successful. The successor countries of the USSR, for example, have tended to consolidate autocracy rather than democracy. (Schimmelfennig 2007:126) The evidence would seem to suggest that countries with different historical, geographical, social and cultural norms to those in the Euro-Atlantic region have also reacted differently to the political conditionality offered by the SSR-relevant IGOs. (Lewis 2011:51-53; Shkolnikov 2009) Another key factor here is that none of the countries outside the Euro-Atlantic area have a realistic proposition of membership of either the EU or NATO, so the lever of conditionality is weak. Given the doubts that have already been raised in the literature about the lack of progress in achieving democratic norms during an ongoing conflict (UN 2012c:50; Beswick *et al* 2011:26-27), this begs the question whether NATO and

the EU should be attempting to support orthodox SSR outside of the Euro-Atlantic area.

At this stage it is worth considering how support to norm setting in fragile and post-conflict countries has occurred. Drawing upon the field of sociological organisation theory, Schroeder *et al* (2014) have taken this perspective a stage further in these countries and identified three different patterns of 'norm transformation' without full internalisation. They are:[57]

> "… 'normative shells', where norms and rules were adopted but not implemented; 'ceremonial structures', where organizational structures were created but remained mostly symbolic; and 'capacity improvements', where the operational capacities of a security service were strengthened without the parallel adoption of democratic security governance standards." (*Ibid*:227)

Where domestic actors have only adopted norms in a selective or 'ceremonial' manner, sometimes just to continue to receive aid packages, this can mask the reality in ministries or on the ground. Schroeder et al question whether "… donor-driven reform narratives in the field of SSR are appropriate models for security sector transformation outside of the OECD-world." (*Ibid*:228) It is a question that will be returned to later when Schroeder's typology will be used in the case studies.

In summary, the literature supports the view that capacity building through norm setting and conditionality in the CEE by both the EU and NATO have been successful but results from other areas have been mixed. One approach that has ameliorated the difficulty of identifying what capacity is lacking in a country and then how to fill it, is through some form of holistic assessment such as the six-stage approach or the development of an NSS. There seems to be a consensus that norm setting and conditionality can facilitate change within a

[57] The study was mainly on governance issues in the security sector.

country but substantive results are dependent upon the political and cultural context, as well as how the process is managed. These two points are important, as despite the abundance of policy guidance to take local politics into account and to place governance at the heart of such capacity building initiatives, there has been a tendency to fall back on 'train and equip' approaches in fragile and post-conflict countries.

Current Debate on SSR

Having analysed the seven characteristics that will be used in the framework to evaluate NATO's support to SSR in the Western Balkans, it would be worth discussing briefly the current debate on SSR.

The SSR concept is frequently viewed through either a peacebuilding or a statebuilding prism (van Veen 2015:2) and this has dominated recent debate. Both prisms have created their own canon of literature, both for and against. (eg OECD 2008c; UN 2012c; Paris & Sisk 2008; Chandler 2010) The peacebuilding agenda has evolved over time to a focus on post-conflict environments and preventing a recurrence of violence. (Paris & Sisk 2009:14-15) An implicit assumption, however, has been that peace agreements were the catalyst for accelerated change through external involvement in creating a 'liberal peace'. The evidence for this seems contested at best. (eg Richmond & Mac Ginty 2014; Selby 2013) Graben and Fitz-Gerald (2013:311) raise specific queries about peacebuilding funding's emphasis on security 'hardware' which creates a gap between its activities and the underlying principles of SSR.

Similarly, the statebuilding "… agenda is rooted in the belief that democratization, economic liberalization and building state capacity offers the best way out of poor governance, violence and poverty." (van Veen *op cit*) Unfortunately, results in the field have demonstrated that the focus proved to be on the 'hardware' of security and improving the operational effectiveness of armed forces and police, rather than on the drivers of conflict or the quality of

governance and accountability. (Sedra 2013; Egnell & Haldén 2009) This led de Guevara (2010:124) rather cynically to suggest "[t]hat statebuilding does not bring about projected results has become common sense." The so-called 'war on terror' and interventions based on 'regime change' have also distorted the agendas of both peacebuilding and statebuilding. (eg Lambourne & Herro 2009:288; van Veen 2014:2)

The current status with these agendas can perhaps best be exemplified by the situation in Afghanistan. SSR (but in reality 'train and equip') has been used as a tool for reform but it has resulted in an emphasis on security with development a poor relation. Not only does this risk the creation of a state that lacks legitimacy but one that is focused on regime protection rather than serving the people. (Jackson 2010:1819)

This has a direct read-across to the debate surrounding second-generation SSR that was raised earlier in this Chapter.[58] The key point that scholars such as Sedra (2010, 2013) and Muggah (2009) make is that there is a need to re-conceptualise the orthodox model of SSR. They argue that they are not rejecting the original model merely attempting to address its perceived faults. In essence, that would be to tailor the model more for a post-conflict environment, move away from 'train and equip' approaches, and place a greater emphasis on bottom up approaches through the people rather than top-down through the state. In reviewing the SSR concept in this Chapter, it is clear that the orthodox model already caters and codifies these approaches. As donors and IGOs strayed from the orthodox model in places like Afghanistan, it is perhaps not surprising that results have been sub-optimal. Two more interesting questions would be: first, whether the orthodox model can work whilst a conflict is still underway; and second, how effective an OECD model can be in a culture and context that is so far removed from the "OECD-world"? (Schroeder *et al* 2014:228) These would be very interesting subjects for further research into

[58] See section entitled: 'Early Definitional Debate'.

SSR before re-conceptualising the concept and will be considered further in Chapter 8.

For completeness, there is a need to be aware of these debates and their affiliation with SSR. Nonetheless, the focus of this thesis is on NATO's support to SSR within the Western Balkans and identifying potential lessons for future SSR engagements in the Euro-Atlantic region and for those countries that have a perspective for NATO membership. Therefore, these issues are of interest but not entirely germane to the research objectives.

The final section of this Chapter now turns to a body of theory in order to view NATO's role in supporting SSR.

INSTITUTIONALISM

As discussed in Chapter 1, NATO is one of several IGOs that play a key role in supporting SSR in a variety of different countries and contexts. Successful SSR manages change both at the organisational and the societal level, although the degree of change is heavily dependent upon the domestic political and societal context, as well as the interface with the IGO. Virtually all recent SSR programmes have been supported by IGOs (Law 2007:3-4) and therefore it would seem prudent to consider a key theory dealing with the work of institutions and their relationship with the states being supported. Given that scholars have already "… turned to institutionalism to explain the persistence of NATO …" (Wallander 2000:706), this section turns to the same body of theory in order to understand better the role of NATO in supporting SSR in the Western Balkans.

The Meaning of Institutionalism

To begin it would be appropriate to identify what scholars believe to be an institution. March and Olsen have been particularly influential in the neo-

institutionalism debate since the 1980s (see: March & Olsen 1989) but a more recent contribution from them suggests that:

> "… [a]n institution is a relatively enduring collection of rules and organised practices, embedded in structures of meaning and resources that are relatively invariant in the face of turnover of individuals and relatively resilient to the idiosyncratic preferences and expectations of individuals and changing circumstances." (March & Olsen 2007:159)

They proceed with their argument to explain how institutions both constrain and empower individual actors, whilst still ensuring that they act within either laid down institutional rules (ie formal) or institutional rules of appropriateness (ie 'the way business is done around here' cultural rules). Whilst it would be true to say that there are many perspectives of institutionalism, each with their own adherents, March and Olsen have attempted to crystallise these views in a definition that suggests institutionalism:

> "… connotes a general approach to the study of political institutions, a set of theoretical ideas and hypotheses concerning the relations between institutional characteristics and political agency, performance, and change. Institutionalism emphasizes the endogenous nature and social construction of political institutions." (2007:160)

One final point to make here is that whilst the term 'political' is used by March and Olsen, there seems to be an acceptance by scholars that this includes IGOs such as NATO and the EU (eg Schimmelfennig 2007; Koops 2008), as well as commercial corporations and public sector institutions (eg Kostova *et al* 2008; Scheuer & Scheuer 2008).

Having established a baseline of terminology, it would be prudent to discuss briefly some historical antecedents. The study of institutionalism has a relatively short history within social science. (Tolbert & Zucker 1996:176) Its provenance owes a debt to organisational theory and international relations,

and a common desire to understand what makes organisations work and why. (Powell & Di Maggio 1991:6-7) In this seminal work on institutionalism, DiMaggio and Powell suggest that: "*Institutional theory* presents a paradox [… as …] it is often easier to gain agreement about what it is *not* than about what it *is* [… thus …] institutionalism also has disparate meanings in different disciplines." (Original emphasis, *Ibid*:1) In the light of this point, it would be worth taking an additional definition on institutionalism which emphasises the social and cultural construction of the theory:

> "… institutionalism is defined in terms of the processes by which such patterns achieve normative and cognitive fixity, and become taken for granted." (Meyer *et al* 1987:13)

The literature suggests that originally institutionalism comprised two strands of institutional theory: one economic-based on concerns about efficiency and rationality and the other sociological-based on power and legitimacy. (eg Barnett & Finnemore 1999:702) Institutionalism can take different forms according to scholarly inclination and discipline but it is generally understood that there are currently three main streams of institutionalism theory: historical, rational choice and sociological. These will now be discussed.

Historical Institutionalism

Historical institutionalism has its roots in group theories of structural-functionalism and politics. (Welch 2011:54) It has a broad theoretical base but one that ultimately seeks to explain political outcomes in a complex environment. Historical institutionalists tend to examine the role of the state in this complex environment and, rather than assuming that it is a neutral broker, explore the way that its various institutions influence and structure the outcomes. (Hall and Taylor 1996:6) Capoccia and Kelemen postulate a model of institutions that is characterised by:

> "… relatively long periods of path-dependent institutional stability and reproduction that are punctuated occasionally by brief phases of institutional flux—referred to as critical junctures—during which more dramatic change is possible" (2007:341)

This concept of 'critical junctures' is a key component of historical institutionalism but there is still a measure of uncertainty as to what triggers the juncture and why. (Hall & Taylor 1996:10) There is a greater acceptance amongst scholars, however, that once the critical juncture has occurred and a change implemented then there is a narrowing of future options as a direct result of the decisions made during the juncture. (eg Welch 2011:54; Capoccia & Kelemen 2007:31-342)

Rational Choice Institutionalism

Rational choice institutionalism has its genesis in economic and agency theory and the belief that organisations are "… logically constructed by individuals who are acting from self-interest." (Welch 2011:54-55) Bevir and Rhodes continue this line of argument by suggesting that its economic roots means that it:

> "… presupposes that actors choose a particular action or course of actions because they believe it to be the most efficient way of realizing a given end." (2001:4)

March and Olsen call this the "logic of consequentiality". (1988:22-23) The key question that needs to be posed, however, is who sets the boundaries of that logic and how? As North explains "… institutions are the rules of the game in society or, more formally, are the humanly devised constraints that shape human interaction." (1990:3) As humans, rather than automatons, are involved in both designing and then implementing the process, it would seem to suggest that the rationality is only approximate and thus 'bounded'. (Simon 1991:125-134; Shepsle 2005:11-12)

Through this system of rules and incentives, rational choice actors and institutions shape behaviour by creating expectations about likely outcomes for certain given courses of action, with the proviso that the rules are stable and are adhered to by all actors. (Bevir & Rhodes 2001:11-13; Welch 2011:55) These latter two points, however, might not always apply. Shepsle (2005:2-4) draws upon a children's baseball analogy in pointing out that the interpretation of the rules might well depend upon the desire of a dominant authority to vary them, such as the child who owns the baseball and glove.

Rational choice institutionalism has its detractors. For example, Green and Shapiro (1996) are scathing about its empirical failures, although they do acknowledge the success of collective action, where a group of individuals coordinate for mutual benefit. (See also: Shepsle 2005:5) Ultimately, rational choice institutionalists seek to explain patterns of behaviour linked to the efficiency of certain courses of action.

Sociological Institutionalist Theory

The last school of institutionalism to be discussed is sociological institutionalism. Its main thrust is towards the homogenisation of institutions once a field[59] is established. Powell and DiMaggio (1999:64) contend that "… highly structured organizational fields provide a context in which individual efforts to deal rationally with uncertainty and constraint often lead, in the aggregate, to homogeneity in structure, culture, and output." Institutional theorists argue that this process of homogenisation occurs as a result of two forms of isomorphism: competitive and institutional. The former only pertains where there is a viable market, whereas the later strives for political power and legitimacy. (Radaelli 2000:27)

[59] DiMaggio & Powell (1983:147) describe an 'organisational field' as a recognised sphere of organisational life. In commercial terms, this could be a group of suppliers or regulatory agencies, or it could mean states that are members of a specific IGO such as the EU or NATO.

Extrapolating this latter environment a stage further, DiMaggio and Powell (1991:67) propose three mechanisms for institutional isomorphic change in a complex political arena: coercive, mimetic and normative. It is worth unpacking these three mechanisms in more detail by drawing upon both DiMaggio & Powell (1984 and 1991) and Mizruchi & Fein (1999).

Coercive isomorphism occurs when an organisation is pressurised to conform with certain formal and informal rules by a powerful sister organisation or state and, by complying, becomes more like them. The pressures can be direct and very explicit. For example, NATO demanded that Estonia and Latvia changed their national legislation in order to protect the human rights of their Russian minorities before they could be admitted as members of the Alliance. (Haglund 2007:113-114) Alternatively, the pressure can be more gentle and indirect. In NATO's case, the committing of national forces to NATO structures and missions is done through a process known as 'peer review' where each country is invited to meet certain manpower and force targets. Such decisions are entirely for the member states, not NATO, but there is much gentle cajoling amongst the members and calls upon the 'spirit of unity and solidarity'.

DiMaggio and Powell suggest that mimetic isomorphism occurs as a response to uncertainty. Where the best course of action for an organisation is unclear, its leaders might well seek to imitate another, normally more powerful organisation, which they believe to be both successful and legitimate. One of the more notable examples of such imitation is the adoption of western approaches to governmental change by Japan at the end of the nineteenth century. (1991:69-70) Similarly, the desire of the countries of Central and Eastern Europe to incorporate the values and institutions of the EU and NATO at the end of the Cold War was a testament to the western way of life and its perceived success and legitimacy. (Kyvelidis 2000 and Schimmelfennig 2003) Institutional literature is replete with articles on mimetic isomorphism. Mizurk & Fein argue, however, that this is because American sociologists have focused on it as "… it accords with the prevailing discourse in American organizational

theory." The downside with this approach is that it tends to underplay the impact of power and coercion of larger partners, especially the US, on smaller partners. (1990:665)

The third school is normative isomorphism. This has its roots in the desire for the professionalisation of institutions[60] and thus "… to define the conditions and methods of their work [… and …] to establish a cognitive base and legitimation for their occupational autonomy." (Powell & DiMaggio 1991:70-71) Capon (2004:94) uses the example of norms to socialise consistent behaviour and conduct amongst professional groups such as doctors and lawyers, both individually as well as corporately. The theories of rationalisation and socialisation also play their part, especially the latter where socialisation on the job, particularly when underpinned through education, experience and similarity of roles in different institutions, tends to reinforce conformity. (Powell & DiMaggio 1991:72) This normative isomorphism is not just top down. Keohane argues that whilst states and their norms and beliefs condition the institutions that they belong to, for example the EU or NATO, these institutions also help shape the preferences and power of the individual states. (1988:381-382)

SUMMARY

This Chapter has reviewed the study of NATO's experience in supporting SSR within the Western Balkans and found that it is broadly situated within the discipline of social sciences and primarily within political science. More specifically it is within the sub-sets of international relations and public policy. It also draws upon several inter-disciplinary fields within those disciplines but seems to have the closest fit within security studies. This then has defined the core focus of the subsequent literature critique.

The key building blocks that formed the genesis of SSR were the publication and use of the *OSCE Code of Conduct* (OECD 1994) in conjunction with a change in the perception of security. Previously the focus had been on the

[60] This conforms to Borchert's second generation of SSR as depicted at Figure 2.1.

state but gradually this shifted to the people and the concept of 'human security'. (Kaldor 2007) It was an approach that fed directly into the SSR concept, not least as participatory surveys such as the World Bank's 'Voices of the Poor' (Narayan *et al* 2000a, 2000b, 2002) identified one of the root causes of poverty as insecurity, and a key element of that insecurity was predatory state security actors.

This recognition of the nexus between development and security allowed the two disciplines to become aligned more closely, both in practical and intellectual terms. It also unlocked thinking on improving governance, which became a central pillar of the nascent SSR concept. The UK's DFID was in the vanguard of this thinking and the early explanation of the concept emanated from the UK and OECD. It accrued a groundswell of international support, although it is perhaps worth reflecting at this stage that the UK's, and subsequently others' embrace of the SSR concept seemed to have been somewhat optimistic. The range of different contexts, the diversity of issues that it touched upon, and the vagueness of the early concept raised more questions than answers and that meant its path to full international acceptance was uneven. (Fitz-Gerald 2006:109-113) Lessons that were identified were not learned and the lack of an agreed taxonomy hindered its development. (Rees 2008:139-140)

It was the pioneering work by the OECD (OECD 2005a and OECD 200a) that eventually brought coherence to the early definitional debate. Over time the EU, UN and OSCE all developed their own frameworks for SSR drawing upon the OECD for similar principles, similar definitions of the security sector, and similar characteristics of SSR.

In reflecting upon the approaches of all four SSR-relevant IGOs to SSR (OECD, UN, EU and OSCE), it is worth noting two issues. First, and perhaps the most striking, is the time that it has taken both the EU (EU 2016) and OSCE (OSCE 2016) to produce their own frameworks given that their documents have ended up being quite similar to the original OECD framework from 2007 and the UN's

in 2008. As Law pointed out some ten years ago, it is inevitable that the IGOs' definitions and frameworks will always reflect their individual needs and concerns as independent institutions (Law 2007:17), but there has now been a mimetic convergence. This should mean that working together in the field with each other, as well as with partners, will become much easier as their approaches should be similar. This degree of convergence of approach, however, probably owes a debt to the normative power of the OECD, and, in particular, the *Paris Declaration on Aid Effectiveness* (OECD 2008f), as well as the legitimacy that the OECD has accrued.

Second, whilst the OECD framework and definitions would seem to have gained salience, the results in the field from the UN, EU and OSCE interventions would still seem to have been mixed. This might be because at least two of the frameworks are new and have not yet had time to become enculturated. It might also be that a 'policy-practice gap' is still evident. (Bakrania 2014:3) In effect, it seems that many donors are still reverting to 'train and equip' programmes at the expense of governance. It is possible that some form of longitudinal study of these IGOs' activities, once the frameworks have become embedded, would shed further light on their efficacy.

As NATO has not developed an SSR policy, it does not have a comparable SSR framework. The researcher therefore drew upon the definitions and principles of the other SSR-relevant IGOs and constructed an analytical framework, which could then be used later in the thesis to analyse NATO's support to SSR. There were seven characteristics of SSR used in the analytical framework and these were examined in some detail. Reflecting upon that analysis, there were two points which stood out. First, there seemed to be a growing convergence of what is considered best practice within SSR throughout the detail of the characteristics, which confirmed the prevailing view gained from the analysis of the SSR-relevant IGOs frameworks. The second point was that whilst the scholarly debate over the principles of SSR seemed consistent, a gap appeared over the surprising absence of positive examples from the field of

good practice in SSR. The reasons behind this lack of success in SSR is less obvious and more contested. It could be, as is cogently argued by Egnell and Haldén (2009:49-50), that donors should be more realistic in their levels of ambition when approaching SSR. It could also be that defaulting to 'train and equip' programmes meant that donors and IGOs are not adhering to the principles and good practice of SSR. It is interesting to note a recent DFID paper that raises this issue and poses the following conundrum:

> "An important question remains as to why lessons learnt processes to date have not led to changes in donor behaviour." (DFID 2015:vi)

It could also be that the context of an ongoing conflict or a political environment, which is fundamentally different to the Weberian experience of most donors or SSR-relevant IGOs, suggest that there are an "…enormity of challenges that SSR – on its own – is unable to tackle." (UN 2012c:50) These are all issues that will be returned to later in this thesis.

Whilst normally a literature review identifies knowledge gaps, it can also be used to explore intellectual tools that can be used in the research. Several typologies and academic models were introduced earlier in the Chapter, and the final section adduced institutionalism as a main body of theory that might assist in understanding better the role of NATO in supporting SSR in the Western Balkans. Scholars had already "… turned to institutionalism to explain the persistence of NATO …" (Wallander 2000:706) and its ability as an institution to adapt and re-new itself. Virtually all recent SSR programmes have been supported by IGOs (Law 2007:3-4) and institutionalism has had a role to play in understanding how and why countries have adopted international norms and standards. It therefore seemed appropriate to consider this body of theory.

The analysis suggested that the increase in isomorphism between the SSR-relevant IGOs, as well as the mimetic convergence demanded by IGOs like NATO as part of the conditionality of membership, all point to a useful fit for the

theory within this thesis. There would thus seem to be merit in drawing upon the theory of institutionalism in analysing NATO's support to SSR. It is acknowledged that there are criticisms of the theory, such as the potential limiting impact of uniformity in mimetic and normative approaches, but these will be discussed further after the theory has been used in the case studies.

The Chapter has made clear that there is no NATO policy or framework for SSR. The wider body of literature on SSR and the approaches of the other SSR-relevant IGOs have helped generate an analytical tool and this will be used to aid the research in subsequent chapters, along with the models and theories that have been adduced. This completes the critique of the literature within this thesis. The next Chapter sets out the research methodology for the study.

CHAPTER 3

RESEARCH METHODOLOGY

"I keep six honest serving-men
(They taught me all I knew);
Their names are What and Why and When
And How and Where and Who."

The Elephant Child - Rudyard Kipling[1]

INTRODUCTION

In order to conduct an analytical study of NATO's support to SSR in the Western Balkans, the researcher undertook a structured review of research methodologies and the choices to be made using a model called the 'Research Onion'. This model was developed by Saunders *et al* (2009:106-108) for business research and was helpful in providing a methodological overview for the researcher. At the end of the review it was decided to use the case study method for this thesis, with interviews as the principal data collection sub-method, supplemented by document analysis and some direct observation. It is not proposed to follow meticulously the chronology of the 'Research Onion' and the structured review here, rather it is intended to provide a brief methodological overview and then focus on the reasons for selecting case studies as the method and a justification for the choices made.

This chapter therefore presents the research methodology used in this thesis and its underpinning rationale. It begins by outlining the researcher's role in the study. It continues with a brief overview of the research philosophy and research approach. It then identifies the research method to be used and justifies the choice. Next, it presents the choice for data collection and analysis with the reasons for selection. Finally, it discusses some additional research

[1] Available at: http://www.kipling.org.uk/poems_serving.htm [Last Accessed 11 July 2016].

and methodological issues. An appropriate and useful research design is thus incrementally built up in order to answer the research question outlined in Chapter 1.

As in most fields of scholarly endeavour, there is a language and a conceptual framework that is particular to social science research. As Blaikie (2007:2) observes, however, writers "...not only use different concepts to refer to the same basic ideas, but when they use the same concepts, they are also inclined to give them different meanings." The terms used in this study broadly follow the dominant literature in order to produce a consistent vocabulary, but it is inevitable that there will be slight variations and every attempt has been made to reconcile these anomalies.

Most scholars argue that conducting academic research demands an understanding of research paradigms and their philosophical underpinnings in order to develop a coherent and academically rigorous study. (Hart 1998:7) This appears to hold true across the natural sciences as well as the social sciences, but is particularly evident in those fields where a researcher makes assumptions about reality or where the researcher becomes, in effect, part of the data collected.[2] This point was reinforced directly by Williams (2003:3) when he averred that social "[r]esearch is never neutral, [...] there is always a context."

Hussey and Hussey (1997:47) claim that the term *paradigm* is often used quite loosely in academic research and thus they seek to clarify it by suggesting that it "... refers to the progress of scientific practice based on people's philosophies and assumptions about the world and the nature of knowledge; [and] in this context, about how research should be conducted." The key, however, is to recognize these variations in worldviews, whilst still deriving the methodology and method from the purpose of the research.

[2] For example, in psychology research (Mitchell & Jolley 2004:46-47) sociology research (Silverman 1985:ix-xiii) and business research (Saunders *et al* 2009:107-109).

THE RESEARCHER'S ROLE IN THE STUDY

Before embarking on this process, it is necessary first to understand the researcher's role in this particular study and recognize his standpoint and philosophical tradition, as they have undoubtedly influenced both the conduct and the results of the study. The researcher's worldview has been shaped by his Western philosophy with its democratic and liberal ideology. This liberalism has its roots in the classical writings of John Stuart Mill and John Locke, amongst others, and embraces the concepts of "... enlightened self-interest, rationality and free choice." (Scott & Marshall 2009:415) The author's view of NATO could also have influenced the study. In the Preamble of the Washington Treaty (NATO 1949), the Alliance espouses "... freedom, common heritage and civilisation of their peoples, founded on the principles of democracy, individual liberty and the rule of law ...", which chimes with the author's view of how it should act. It is inevitable that these shared values were brought to bear when analysing how NATO assists countries with their reforms, and thus was evident in the data collected. The value-laden nature of the enquiry will inevitably have determined the choices made in the methodological approach.

Slightly more controversial, however, is the prevailing Christian philosophy that is evident within all member states of NATO, with the one exception of Turkey. Nonetheless, the Alliance is assisting with reforms in a number of countries that are predominantly Muslim or have a sizeable minority practising that religion. So whilst there was probably a degree of convergence of views and ideas between NATO and its member states, there was inevitably some cultural and philosophical divergence[3] when analysing NATO's role in Muslim countries, which was taken into account. These include issues of identity and loyalties, and will be taken into account using hermeneutical insights.

The researcher also has a thorough grounding within NATO and has had practical experience of assisting countries with reform of their security sectors,

[3] The process of convergence and divergence in organisations has been the subject of much debate between scholars of neo-institutionalism (Scheuer 2008:107-137).

so has a view on these issues. This undoubtedly influenced the data collected, not least during interviews. Scholars generally agree that this could lead to a research bias (Mitchell *et al* 2004:87-91; Saunders *et al* 2009:326) but there is debate whether it should be avoided totally or accepted as an enriching process. (Harding 1986:136-151) Certainly the researcher leaned towards this latter inclination but he was helped by his thesis committee, who proved to be robust in challenging the researcher's in-built heuristics and biases. Ultimately, much depended upon the epistemological position that was taken in the study, and, as Corbin and Strauss suggested (2008:80-81), the researcher was prompted to "... walk a fine line between getting into the hearts and minds of respondents, while at the same time keeping enough distance to be able to think clearly and analytically about what is being said." The data was also rationalised through a process of both validation and triangulation.

RESEARCH PHILOSOPHY

An academic methodology will normally be grounded within an understanding and acceptance of one particular research philosophy. This approach has its roots in the 'theory of knowledge'[4] and the Greek philosophical traditions of the 5th and 4th Century BC, as intellectuals began to reject the supernatural and mythical interpretations of reality, and began a search for a more logical and rational understanding of the world and its approach to knowledge.

The research question outlined in Chapter 1 would seem to suggest that SSR is a socially-constructed phenomenon with a reality that is likely to be viewed in different ways by different people. A security sector is clearly observable and its reform can be experienced, albeit not necessarily directly by the researcher, but certainly through the eyes of others. Thus individuals will have a view of the

[4] Although there are some like Woozley (1949:11-12) who argue that the term is a misnomer as "... there is no one theory of knowledge but an immense variety of rival theories, alike only in that they claim to deal with the same subject matter (and to deal with it better than any of their competitors), although the exact questions which they think it proper to ask when dealing with that subject matter may and do differ from one theory to the next." Nonetheless it is the accepted term and therefore is used here.

phenomenon and the nature and value of NATO's interventions. Depending on that experience, it is likely that the judgements that will be made will be subjective. This will be true for those that who are subjected to the reform intervention, those who conduct the intervention, and those who observe the intervention.

Looking to another social phenomenon, that of leadership, Grint (2010:10) suggests that we cannot be objective in these social situations because all such accounts are merely linguistic reconstructions, not "... transparent reproductions of the truth ...", and thus are merely a version of the perceived truth that has "... secured prominence". An example of this can be adduced from the researcher's experience during an interview with a senior NATO officer. The day before the interview the researcher provided a copy of the questions that would be asked to the senior officer's personal staff officer to be passed to the interviewee. The staff officer requested assistance in preparing briefing notes for the interview. The researcher explained that such notes would defeat the purpose of the interview in that it was the personal views and experience of the senior officer that needed to be collected. In the event the interviewee had some briefing notes in front of him during the course of the interview and constantly kept referring to them. Thus the researcher formed the view that the officer did not possess acceptable knowledge or truth about SSR interventions in the Western Balkans but a form of truth that had 'secured prominence' from the briefing notes prepared for him by his staff.[5] The researcher included that subjective view of the interview when he wrote up the report.

Furthermore, as explained earlier, values played a significant part in NATO's role in SSR, as did the researcher's values in studying this role. Similarly, where the values and cultural norms of the host country receiving the support are divergent, then this was considered in the analysis of the data. As these values cannot be separated, they have been included, and thus axiologically the study is subjective.

[5] The interview details are held by the researcher but are not included here in order to preserve the individual's anonymity.

To summarise, the position taken in this study is that SSR is a phenomenon. The ontological position is that it is socially constructed and is viewed in broadly subjective terms, which change with time and specifically with regard to context. The epistemological position is that SSR has subjective meanings, but it is reality within the individual contexts that provide acceptable knowledge and which are of academic and practical significance, thus informing NATO's future policy and future engagements. To that end the study has followed a broadly interpretivist philosophy and an interpretive paradigm.

RESEARCH APPROACH[6]

The traditional model of sciences is to deduce a hypothesis from what is known about a particular domain and its theoretical framework, and then test this hypothesis empirically. Should the data match the theory, then there would be support for the wider use of that theory. (Babbie 2004:47; Bryman 2008:9) Thus the particular is deduced from the general. This deductive approach is widely linked to positivism and is also sometimes referred to as the 'hypothetico-deductive' method since it relies upon the hypothesis, prediction, and testing. (Scott & Marshall 2009:161)

The deductive approach has its roots in Aristotelian logic that attempted to establish the framework for "... proper scientific thinking ..." and dominated until the sixteenth century. (Hart 1998:81-82) As with all approaches, it is not entirely without fault. As both Bryman (2008:9-10) and Blaikie (2007:75) point out, it is virtually impossible to conduct rigorous testing of any hypothesis without employing a measure of inductive reasoning which relates to past experience. Such a notion can only provide a benchmark on the basis of inductive assumptions. Strauss and Corbin (1998:136-137) recognise this when they suggest "... there is an interplay between induction and deduction [..] as in all science." One could reasonably argue, however, that as long as the

[6] Often referred to as the 'Research Strategy' (Blaikie 2000:100-127)

approach is at least predominantly deductive in outlook, then it may be termed 'deductive'. It is beyond the scope of this study to dwell much more on the deductive approach except to say that there are also criticisms of it linked to its limitations in measuring data accurately, the rigidity of the approach,[7] and the lack of a creative element in the process. (Blaikie 2007:75-78)

Thus, the inductive approach is one whereby the researcher studies particular situations and then seeks to identify patterns or characteristics that may point to more universal principles (Babbie 2004:55). It was noted earlier that the deductive approach was the traditional model for the sciences, but especially for the natural sciences. Saunders *et al* (2009:126) suggests that it was "... the emergence of the social sciences in the twentieth century ..." that led to active swing away from "... an approach that enabled a cause-effect link to be made between particular variables without an understanding of the way in which humans interpreted their social world."

This desire to achieve an understanding of the meanings that humans give to social phenomena and the emphasis on qualitative data collection has found much favour with social scientists and thus they have been keen advocates of the inductive approach. In addition, it is more likely that an inductive approach will be concerned with the context of events and researchers will probably be more inclined to choose small samples rather than the large 'n' samples normally associated with the deductive approach.[8]

In selecting a research approach the researcher has already made some choices as a result of the logic underpinning his epistemological and ontological positions. Although the hypothesis presented earlier could form the foundations

[7] In 1978 Feyerabend called for "... scientific anarchy ..." with an "... anything goes ..." approach. As quoted by Blaikie (2007:78).

[8] Most scholars focus on these two main approaches and therefore the discussion above has been limited to them. For the sake of completeness, however, it should be noted that Blaikie (2000:108-119; 2007:9-10) mentions the 'retroductive' approach which is linked to 'scientific realism', and the 'abductive' approach that can be used for deriving technical concepts. Neither of these approaches are mentioned in the *Oxford Dictionary of Sociology* (Scott & Marshall 2009) or *A New Dictionary of the Social Sciences* (Duncan Mitchell 2008).

of a deductive approach, it seemed that the most appropriate approach for a broadly interpretivist philosophy and an interpretive paradigm would be an inductive approach. This was consistent with the researcher's need to gain an understanding of the 'truth that has secured prominence' in the countries that have been assisted by NATO and to establish a closer understanding of the context of these individual countries' security sectors.

As explained in the earlier discussion on the researcher's role in the study, the 'insider'[9] approach needed to understand the phenomenon and the 'expert' nature of his knowledge suggested that the researcher would inevitably be part of the research process, and this created a predisposition towards an interpretive and inductive approach. And finally, conducting research in a social and political environment with a potentially wide divergence of cultural and social worldviews provided some challenges to the researcher. Some of these were not identified until the research was underway. It was established that the inductive approach allowed greater flexibility in adapting the research emphases than would have been possible in a deductive manner. This confirmed that the inductive approach had been the correct research choice. The next section outlines the research method and justifies the choices made.

RESEARCH METHOD

Case Study

A number of scholars in the fields of social science and policy research are advocates of the flexible and insightful nature of the case study research method. (eg Denzin 1970; Majchrzak 1984) Perhaps the most prolific writers in this field, however, are Yin and Stake. In the introduction to his book *The Art of Case Study Research*, Stake (1995:xi) suggests that: "A case study is intended to catch the complexity of a single case [... in order to ...] look for the detail of interaction with its contexts." Essentially, this is to provide understanding of the

[9] Whilst there may be an argument for creating some form of 'stranger' condition, there are broader issues that would militate against such an approach.

particular. This emphasis on understanding is a major strength of the case study approach. (Stake 1978:6; Denscombe 2007:35-38)

In describing the logic of the design, Yin uses a two-fold definition of case studies. He begins with the scope when he states that:

> "1. A case study is an empirical inquiry that
>
> - investigates a contemporary phenomenon in depth and within its real-life context, especially when
> - the boundaries between the phenomenon and the context are not clearly evident." (2009:18)

He argues that this allows an in-depth understanding of a real-world situation and accepts the inherent complexities and variables. The contextual nature of SSR has already been highlighted in Chapter 2 and the need to have an in-depth understanding of that context chimes with the scope of case studies. Yin goes on to suggest that case studies are forgiving of situations where the phenomenon under investigation and the context are indistinguishable and thus:

> "2. The case study inquiry
>
> - copes with the technically distinctive situation in which there will be many more variables of interest than data points, and as one result
> - relies on multiple sources of evidence, with data needing to converge in a triangulating fashion, and as another result
> - benefits from the prior development of theoretical propositions to guide data collection and analysis." (*Ibid*)

Yin goes on to argue that case study research is an 'all-encompassing method' that incorporates a research logic, design, method and data collection. (*Ibid*:18-19) Again, the scope, breadth and holistic nature of SSR would seem to suggest a good fit with the case study design.

In a similar vein, albeit with a slightly different emphasis, Stake suggests that social science case studies normally feature:

> "… descriptions that are complex, holistic and involving a host of not highly isolated variables; data that are likely to be gathered at least partly by personalistic observation; a writing style that is informal, perhaps narrative, possibly with verbatim quotation, illustration, and even allusion and metaphor. […] Themes and hypotheses may be important, but they remain subordinate to the understanding of the case." (1978:7)

SSR is a relatively new concept and does not necessarily fit with other research theories and methods. Attempting to understand the support of an IGO to SSR in a historically and socially complex part of the world like the Western Balkans is not an easy endeavour, so a research design like case studies that capture the complexity and intervening variables of the research, as suggested by Stake's interpretation, would fit the requirements of the research.

Inevitably there are criticisms of case studies. Giddens (1973) argues that case studies lack academic rigour but, as Yin points out, whilst such criticism may be true of case study teaching, case study research has just as much rigour as other methods. Survey questionnaires can be incorrectly designed to include a bias but they can also be correctly designed without a bias. The same could be true of case studies, which need to be explicitly and carefully designed like any other research method. (Yin 2009:14)

Perhaps the most often quoted criticism of case studies, particularly from those scholars who are strongly influenced by quantitative research strategies, is the concern that they provide a poor basis for scientific generalisation. (Bryman 2008:55) Indeed, Stake partially acknowledges this when he notes that the case study method would seem to be "... a poor basis for generalization ..." (1995:7) but he goes on to argue that generalisation is not normally the main objective of case studies but understanding. Nonetheless, as Hays points out:

> "Generalizability, however, is quite possible when based on several studies of the same phenomenon. In addition, readers of these case studies often use their own experiences to give meaning to the case reports, using judgment to enhance their understanding of the case and comparing that to similar cases they have encountered." (2004:219)

Using at least two case studies of NATO's support to SSR in the Western Balkans and then identifying lessons that might be used to inform NATO's approach to current and future interventions would seem to be precisely what Hays meant. How far that the Western Balkans case studies can be generalised to another area, such as the Caucasus, will depend on how closely the two contexts share characteristics. In Chapter 7 the researcher provides some generalised factors to enable NATO to test whether significant features and characteristics are comparable. In addition, Denscombe (2007:43-44) believes that as long as there is sufficient detail in the case studies, then the onus is on the reader (in this example NATO staff) "… to make an informed judgement about how far the findings have relevance to other instances …" such as the Caucasus.

Inevitably NATO's role in assisting countries to conduct their SSR programmes is a contemporary phenomenon and the social behaviours lie outside the control of the study. The process comprises a complex interaction of variables (as the quotation from Stake above indicates (Stake 1978:7)) that is inextricably linked to the context in individual countries and regions. This blurring of the boundaries increases the overall complexity of the study and would seem to make most other methods inappropriate. Importantly the case study method has the advantage of being able to draw upon a full spectrum of sources including from 'grey literature', documentary evidence, observation, interviews, and focus groups. The real strength of the case study method for this study, however, is that it not only offers enlightenment on NATO's SSR interventions but is able to indicate how the experience could be used to inform NATO's future engagements. The contemporary nature of this study, as well as the

predominant 'how' and 'why' form of the research question seemed to match the case study method completely.

Single or Multiple Cases?

Having decided that the case study design is to be the research method for this thesis, there needed to be further thought on the number of case studies. Yin suggests that the researcher has the option of taking a single-case or multiple-case design (2009:46-64). He sets out the following criteria that could justify a single case:

- "Where the case represents a critical case in testing a well-formulated theory;
- Where the case represents an extreme or unique case;
- Where the example is a representative or typical case;
- Where the example is a revelatory case; and,
- Where the example is a longitudinal case."

Turning to this study's research question, two of the above criteria were discounted immediately. First, as explained in Chapters 1 and 2 NATO's role in SSR does not conform to a well-formulated theory. Second, neither was the study truly longitudinal. The other three criteria demanded more analysis. Whilst it could be argued that NATO's role in post-conflict and post-authoritarian countries would seem to be similar within specific regions (for example within the Western Balkans), they are substantially different from region to region (for example from the Western Balkans to the NTM-I and then to the NTM-A). Some of these differences will be as a result of individual country contexts and some will be as a result of the nature of NATO's mission in individual countries.

An assistance mission in Afghanistan is significantly different to a mission to assist a potential future Alliance member. On closer inspection within the Western Balkans, however, the type of mission in BiH is very different to that in Macedonia or Kosovo, whilst some of the SSR support has similarities. This would seem to indicate that one could not just take a single case and assume that it would be entirely representative of all cases of NATO involvement either within the Western Balkans or in other regions. Yin (2009:60-61) also particularly stresses the analytical benefits of several cases, so in order for the research to be useful to NATO policy-makers in informing its future engagements, it seemed appropriate to study at least two cases.

Examining just two cases where there is a high degree of complexity and contrasting contexts would be more powerful than just one, but potentially less powerful than three. The researcher believed that there was robustness to the two-case design and given the limitations on the researcher's time and resources, decided to opt for two country case studies. He recognised, however, that more cases in a wider geographical spread could add more richness to the findings and this idea is therefore taken forward in Chapter 8 when the researcher makes some suggestions for further research.[10]

In drawing this section to a close, it would seem appropriate to examine units of analysis. Both Hussey and Hussey (1997:66 & 122-123) and Yin (2009:31), amongst others, recommend a clear unit of analysis for case studies. This can be difficult in complex studies such as this one and required definition at two different levels. In the study of NATO's support to SSR in the Western Balkans, there are several ways to approach the problem. One could take the Western Balkans as a single unit but the variations between the various countries and the disparity of NATO's involvement would seem to make it an unwieldy unit of analysis. One could also take some form of thematic pan-Balkans approach (eg defence reform or intelligence reform as NATO has been involved in supporting both). Both of these approaches would seem to contravene the

[10] See section entitled: 'PROPOSALS FOR FUTURE RESEARCH'.

notion that a case study should be a ‘self-contained entity’ and have fairly distinct boundaries which would be clear to both the researcher and the reader. (Denscombe 2007:44-45) The best approach would seem to be reform within individual countries. For this study then the main unit of analysis was 'NATO's approach to security sector reform' and the embedded unit of analysis in each case was 'security sector reform within the individual countries'.

Selection of Cases

The choice of the two countries for the case studies needed to reflect an appropriate mixture of context with fve broad parameters. First, they need to be mature cases of SSR support by NATO (ie more than ten years) with the assistance still ongoing in order to gain a view over the longer run. Second, they should be either one post-authoritarian country and one post-conflict country, or two post-conflict countries, so that the context is more of a challenge than merely developmental.[11] Third, the two countries need to have contrasting evolutionary paths and different stages of development in order to be definable as separate and different. Fourth, they need to have sufficiently distinct characteristics, contexts, and ethnic mixes, which would allow them to be treated as individual empirical manifestations, and finally they need to accessible to the researcher so that there is a practical availability of data.

The final test for the two case studies is that they should be relevant, contribute to the study and feasible. In the Western Balkans, BiH and Kosovo met all the above criteria and were therefore selected as the two case studies. A brief review of the two countries follows below.

BiH. BiH is still in a political and constitutional time-warp since the signing of the DPA in 1995. It is, however, a member of PfP and a participant of the MAP, which is normally a precursor to membership of the Alliance. NATO has been supporting the reforms of the security sector since 1996 with a measure of

[11] Drawing upon Hänggi’s typology (2004:10).

success. The armed forces of BiH are an amalgamation of the three pre-war armies, so the basis for the reform process has been relatively straight forward, but local politics have been a significant impediment. The three entities remain at odds over the long-term viability and future of the state of BiH. One of the entities (RS) still favours union with Serbia and has therefore been blocking constitutional and security sector reform since 2006. Police and judicial reform are widely acknowledged to have gone backwards since then. The RS has also has blocked any aspiration of NATO membership and (like Serbia) is content to limit its involvement to PfP membership. This has clearly heightened the challenges facing NATO on the ground and an apparent lack of political support from NATO HQ in Brussels and the remainder of the international community to break the political deadlock would seem to have exacerbated the situation.

Kosovo. Kosovo is a very different proposition from BiH for many reasons. NATO's role in the DDR process after the ejection of Serb security apparatus (military, police, intelligence services, prison staff, judiciary etc) in 1999 was crucial in maintaining stability and this is widely acknowledged by the people. With the Serbian exodus the task of creating a new security sector from scratch was assumed by a combination of the UN, EU, OSCE and NATO. Although Kosovo declared independence in 2008, it is still hidebound by UNSCR 1244 and the restrictions that were placed upon it in 1999. This includes a moratorium on the creation of an army, which has posed significant challenges on NATO's approach to SSR. The government has made it clear that it aspires both to PfP membership and for NATO membership, and it already has an army in-waiting: the Kosovo Security Forces. This is a perspective that has been endorsed by most of the population. There are still four NATO member countries, however, who do not recognise Kosovo as an independent country due to their own internal political situations, and thus would be unlikely to accept Kosovo as a member state or a member of PfP in the near future. This has posed a significant political impediment to NATO's approach, not least any assistance with reform. Notwithstanding this impediment, support has been provided, although in some instances it has been suborned by individual

member states on the ground following national agendas rather than a NATO agenda. Nonetheless, it is possible that Kosovo will be accepted into some form of cooperation in the not too distant future, in order to keep the reform and development process of the security sector on track. At that stage NATO will be well-placed to offer much more support to SSR.

Whilst the contexts of Kosovo and BiH are very different, some of the support to SSR has been similar. How similar and how generalisable the lessons from both cases will be covered later in the case study Chapters 5 and 6, and the cross-case comparison in Chapter 7.

Case Study Design

Having decided on these two cases, it was then appropriate to draw upon Yin (2009:57) and his case study model. Figure 3.2 below has been adapted to reflect the researcher's plan for the study. Of particular note is the dashed line that represents the feedback loop. Yin (2009:56 & 58) stresses the importance of such a loop in the event that one of the cases did not fit the original design and that either there was a need to reconsider the theoretical assumptions or a redesign of the methodological approach.

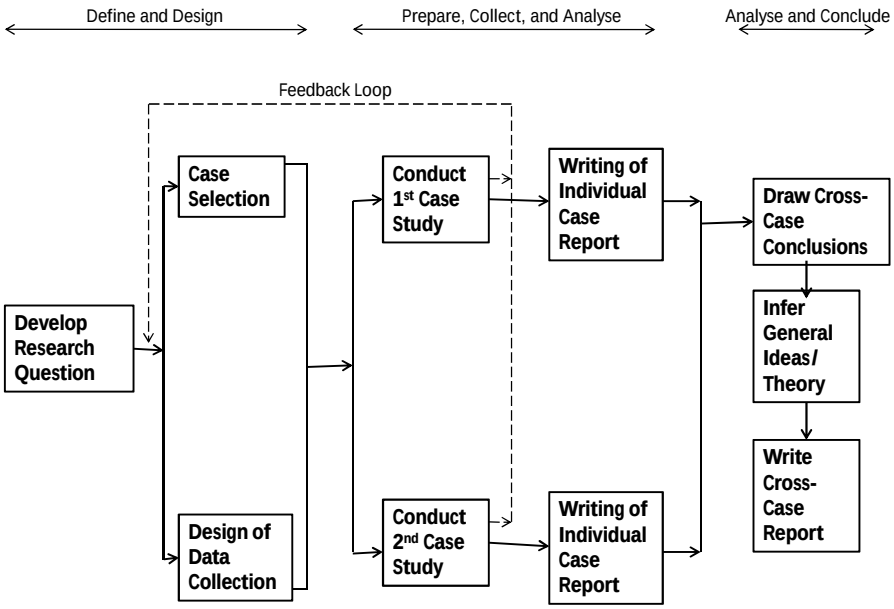

Figure 3.1 Plan For Conducting Case Study Research
(Source: Adapted from Yin 2009:57)

Drawing upon the above discussion, it seemed prudent to provide a standard framework for the case studies. Although a number of scholars provide rather general suggestions on the format such as to tailor them according to the audience, that they must be well organised, that they should answer the question and so on, few provided practical suggestions. Stake (1995:122-125) was the honourable exception and the following structure drew upon his work and were used for both case studies:

- Introduction - an entry vignette to start developing a 'vicarious experience'.

- Historical Background - an extensive narrative description to define the context of the country with 'relatively uncontestable data', but with some interpretation.[12]

[12] In the event there was an overlap in the historical background to both countries as they had all previously been part of the SFRY, so the common aspects were combined in a short section on the Western Balkans within Chapter 1.

- Current security situation within the country - drawing upon all available data this section seeks to provide the more detailed context for reform of the security sector.

- SSR within the country - this section uses the analytical framework for NATO's support to SSR that was developed in Chapter 2[13] - and provides the detailed exposition and initial analysis of NATO's role in the reform process but also takes account of the interaction with other stakeholders. Some key issues were developed, not so much for generalising beyond the individual case, as for understanding the complexities and meanings inherent in it.

- Discussion and Synthesis - this section presented some of the researcher's findings and understanding about the case and then allowed the reader to reconsider knowledge of the phenomenon and be used as a basis for comparison between the individual cases.

- Summary - this was the closing vignette.

In bringing this section to a close, the researcher believed that the case study research method seemed to be the most appropriate and useful way to answer the research question. He was also comfortable with the theory and the all-encompassing nature of case studies that effectively included research design as well as the data capture. This latter issue will now be taken forward in the next section.

DATA COLLECTION

Turning now to data collection, Williams (2003:64) suggests that "... for most interpretive studies interviews will be the principal means of data collection." It should be recognised, however, that the demand for data in the case studies

[13] See section entitled: 'ANALYTICAL FRAMEWORK FOR NATO's SUPPORT TO SSR'.

would not be satisfied by interviews alone and that at the very least some text and document analysis will be required in order to increase the richness of the results. As Gillham (2000:13) points out the "... case study is a main method. Within it different sub-methods are used: interviews, observations, document and record analysis ... and so on." Thus, it would appear that the research would need more than just interviews for its data collection. This seems to be entirely compatible with the use of case studies which actively encourages multiple methods. It is now proposed to discuss the collection of public data.

Documentation

In order to establish the context for each of the case studies there was a need to trawl both NATO's and the individual country's official and unofficial documents, studies, written reports and so on. Much of this documentation was found on the internet but some reports were shared only between NATO and the country. Access to these documents would have been important, but it had to be accepted that some were withheld due to reasons of confidentiality. The 'grey' literature including local newspapers and internet reports also added richness to the overall picture. Care was taken in order to ensure that evidence was corroborated and augmented by other sources. Thus archival records, official documentation and scholarly research formed the first element of the data collection for each case study.

Interviews

The second element of data collection for the case studies were the interviews. There were three broad types of interview available to the researcher: structured; semi-structured; and unstructured. Although some scholars are not prescriptive on which type to use in case studies, there seemed to be broad agreement (Denscombe 2007:175-178; Hussey & Hussey 1997:156; Stake 1995:64-67; and Silverman 2001:83-114) that structured interviews were not particularly helpful in qualitative, interpretivist studies.

Both semi-structured and unstructured interviews were considered appropriate and were used in the case studies, although the former were the primary means for the BiH and Kosovo interviews for three reasons. First, in order to ensure that the interviews were focused and added value to the research, it was helpful to have a broad framework that the semi-structure interview offered but still allowed the interviewees to provide additional data where they considered it important. Second, semi-structured interviews provided a better basis for comparison between interviews and cases. And finally, whilst both types required intensive effort in time and energy to compile the data and then analyse, the semi-structured interviews were slightly less labour intensive. Whilst this was in slight contradiction of Foddy (1993:126-152), who strongly advocated the open-ended, unstructured approach, the practical limits on the researcher's time and money needed to be taken into account. The NATO and regional interviewees were more approximate to unstructured interviews. A full list of interviews is included at Appendix 5.

The selection of individual interviewees demanded considerable reflection and planning before the field trips. The primary requirement was for interviewees to be taken from across the political and societal spectrum in the case study countries, and, to ensure that the data made as much sense as possible. It was therefore decided to make the case study interviewees a purposive sample. The ideal spectrum of experience and knowledge was thought to be a combination of the following:

- Government officials (a combination of political appointees and normal civil servants or military)

- Assembly members - opposition as well as in government

- Members of various ethnic groups

- Members of security institutes or universities
- Members of the International Community
- A mixture of those who have good knowledge from past NATO activities and those with current knowledge
- Ordinary members of the public with no affiliations to the above
- Males and females

The researcher produced a table that reflected the categories above and then he consulted with contacts in both BiH and Kosovo in order to populate the table with suitable people. It was inevitable that there were limitations on who was available during the field trips. This was overcome to an extent by the researcher interviewing a relatively large sample on the first field trip to each country, taking stock afterwards, and then attempting to fill some of the gaps during a second field trip. Inevitably there was still a degree of divergence from the ideal, but it was a limitation that had to be accepted. This is reflected upon in more detail in Chapter 8. Nonetheless, the researcher was broadly content with the spread of experience, backgrounds and knowledge of NATO and SSR. The one area that was sub-optimal was the gender balance. In part the paucity of women interviewees reflected the gender balance prevalent within the security sector workplace and in part it was a reflection of the workplace more generally in the case study countries. The breakdown of categories (eg academic, military, civilian etc) for individual interviewees is contained at Appendix 6 and the details for the BiH and Kosovo interviewees at Tables A6.1 and A6.2 respectively.

In a similar fashion the researcher produced a framework for NATO interviews that reflected a range of experience and circumstances for NATO officials and officers. This then included a combination of civilians, military, those at NATO

HQ Brussels, and those in the headquarters in the military chain of command. The detail is contained in Table A6.3 at Appendix 6.

In order to introduce a degree of triangulation, as part of the empirical data gathering activities, the researcher decided to include three additional interviews. The interviewees were not directly connected to the individual case studies but were very experienced internationals who had extensive knowledge of the Western Balkans region, the specific country contexts, as well as NATO's role in the case study countries. Their input added much richness to the overall findings. The detail for the regional interviews is contained in Table A6.4 at Appendix 6.

A difficult aspect in the study was for the researcher to decide when he had collected sufficient data from the interviews for each case study. Clearly, data saturation will always depend upon a variety of factors including the research discipline, the research approach, the time and resources available to the researcher, the availability of subjects, and the common sense of the researcher to know when enough is enough. Strauss & Corbin (2008:143) suggested that: "Saturation is usually explained in terms of 'when no new data are emerging'." Research on sample size and saturation in PhD studies using qualitative interviews by Mason (2010:10) would seem to suggest that the most common sample sizes were between 20 and 30. He also drew upon the experience of a broad cross section of academic researchers that would seem to "... agree that saturation is achieved at a comparatively low number [...] And generally don't need to be greater than [...a total of...] 60 participants. (2010:11) Mason went on to suggest that the:

> "... point of saturation is [...] a rather difficult one to identify and of course a rather elastic notion. New data (especially if theoretically sampled) will always add something new, but there are diminishing returns, and the cut off between adding to emerging findings and not adding, might be considered inevitably arbitrary." (*Ibid*)

In the event the researcher settled on a rough guide of 20 to 30 interviews to begin the fieldwork. Each case study was slightly different but, interestingly, some 22-24 interviews seemed to capture sufficient data with diminishing returns on the final three or four interviews. The researcher then added an additional interview for each case study in order to fill specific gaps in the data, which meant that there were then 25 interviews for each case study. Interviewees were taken from across the political and societal spectrum in the case study countries, although, as explained earlier in the Chapter, in order to ensure that the data made as much sense as possible, it was necessary to make this a purposive sample.

In addition to the case study interviews, a focus group and another 12 interviews were conducted with NATO officials and officers. These were then complemented by the six interviews of NATO members, who were integral to the individual case studies.[14] The focus group was conducted right at the start of the research process and helped define some of the framework questions, as well as some of the key issues concerning NATO's support to SSR in the Western Balkans. It would be worth making the point, however, that upon reviewing both the notes and the audio tape from the focus group, the researcher did not find it quite as helpful as he would have hoped. This was probably for two main reasons. First, the language spoken in the group was English and there seemed to be a tendency for the native English speakers to dominate the debate, at the expense of the non-native English speakers, whether or not they had something pertinent to say. Second, although there was a neutral, non-native English speaker chairing the group, the recording of the discussion was at times too indistinct and suffered from too many people speaking at the same time. For practical reasons the researcher decided not to hold another focus group.

In order to prepare individuals for their interviews, the researcher sent a sample of the framework questions and a background note on the research at least 24

[14] See Table A6.3 at Appendix 6 for details.

hours in advance. Examples of the framework questions are at Appendix 7 for BiH, Appendix 8 for Kosovo, and Appendix 9 for the NATO and regional interviewees. An example of the background note is contained at Appendix 10. As far as the researcher could ascertain the two documents had been read by most, if not all, of the interviewees and undoubtedly aided the flow of the interviews.

It was recognised during the research, that there should ideally be a shared and common understanding of the phenomenon and lexicon of SSR between the researcher and the interviewee. Chapter 2 presented such a framework of definitions and understanding of SSR. Although there were still some contestable elements, this framework has been broadly accepted by the development and security communities. The researcher anticipated that during the data collection phase, it would be likely that many of those who would be interviewed in the two case study countries (both international actors and, more importantly, local actors) would probably *not* have a clear understanding of SSR, although they would have an understanding of their view of reality on the ground. They would therefore be able to describe the reform processes and NATO's role in their own terms and using their own social constructs. The situation was undoubtedly complicated by the need to conduct some interviews through an interpreter and a number of interviews with individuals whose English language skills would have limitations. The researcher provided some personal views on these issues in Chapter 8.[15]

The analysis of the interviews posed one of the more difficult aspects of the study due to the quantity of data that was collected. Bryman (2008:565-583) strongly recommended the use of a computer-assisted qualitative data analysis (CAQDAS) like NVivo and explained that whilst the researcher still needed to code the interviews himself, the computer assumed the "...manual tasks associated with the coding process." (*Ibid*:565) It was therefore decided to use CAQDAS and Bryman's comments proved to be completely accurate. The

[15] See section entitled: 'Impact of Language Skills on Accuracy of Data'.

researcher has reflected upon his use of the system and its added-value in Chapter 8.[16]

Finally, a review of the interviews listed at Appendix 6 shows that the researcher conducted a total of 25 interviews for each case study and a total of 65 interviews overall. This would seem to fall comfortably within the parameters suggested by Mason (2010:10-11).

Direct Observation

The third element of the data collection was direct observation. There were opportunities for direct observation, which were complementary to the interviews and an aid to interpretation and analysis. These were in meetings, before, during and after interviews, as well as a number of other informal settings, such as one diplomatic cocktail party in Pristina in 2013, which made a particular impact.[17] These opportunities provided additional information and insights about the study and were meticulously recorded in the researcher's field notebooks.

ADDITIONAL RESEARCH AND METHODOLOGICAL ISSUES

Having outlined the data collection choices for the thesis, it would now be appropriate to review some additional research and methodological issues pertinent to the research.

[16] See the section entitled: 'The Use of a CAQDAS System - NVivo'.
[17] See section entitled: 'The New Tasks:2008-2015' in Chapter 6.

Institutionalism

Several typologies and academic models were introduced during Chapter 2, but a main body of theory was also adduced in order to assist in understanding better the role of NATO in supporting SSR in the Western Balkans. This was the theory of institutionalism. The subject has already been fully explored[18] and thus is only mentioned here for completeness.

Hermeneutics

After some reflection, particularly after his experience of the early focus group, the researcher decided he would address some of the perceived shortcomings in three ways. First, the researcher prepared individuals for their interviews with background notes[19] and some explanations of the terms SSR and the security sector. Second, he conducted some content analysis using CAQDAS in order to identify the patterns, establish the relationships, and interpret the data in a qualitative manner. Third, he examined how best to derive second-order constructs from the first-order accounts given by the social actors in their everyday (non-technical) language. (Blaikie 2000:129-139) This latter approach would seem to be congruent with the hermeneutic tradition. Hermeneutics originated with the practice of interpreting biblical or sacred texts but is now defined as:

> "...the science of interpretation [...that...] maintains an interest in the content as well is the form of what is being interpreted. [...] It works on the principle that we can only understand meaning of a statement in relation to a whole discourse or worldview in which it forms a part: of example, we can only understand (say) the statements of monetarist economics, in the context of all the other contemporary cultural phenomena to which they are related. We have to refer to the whole to understand the parts and the parts to understand the whole - the so-called hermeneutic circle." (Scott & Marshall 2009:370-371)

[18] See section entitled: 'INSTITUTIONALISM' in Chapter 2.
[19] As described earlier in this Chapter in the section entitled: 'Interviews'.

As explained earlier in this Chapter,[20] the researcher has played a role in the study both through his own experience of the events described but also through the analysis that he has presented in various academic papers. Given the epistemological position of the researcher, it was believed that this would aid the interpretation of the data. As the overall philosophical paradigm of this study is interpretivist, it would therefore seem that a general research model drawing, at least in part on the hermeneutic tradition, would be another appropriate analytical approach within the case studies to add to institutionalism.

Trust and Dealing with the Potential for Bias

The role of the researcher as an integral part of the study also posed two inter-related but discrete factors that needed to be considered. The issue of personal trust (Covey 2006) was a key factor in gaining the confidence of individuals to agree be interviewed and is one that is not often encountered in the social science literature. Given that the researcher had lived and worked in the Western Balkans for a number of years, he had a good contextual understanding but was also known at least by name to most of the interviewees. This enabled a series of interesting dialogues during interviews, which moved well beyond the usual semi-structured framework. This would probably not have been the case for a researcher who had not had the experience of being a practitioner in the Region. The downside is that on a very few occasions it was possible that an interviewee said what they thought the researcher might want to hear. Essentially this might create a situation for potential bias. This was clearly undesirable but, as the researcher was part of the study, he was able to make a judgement on the validity of the data and treated such interviews with caution. For most interviewees, however, it was abundantly clear that they were saying what they believed to be true.

[20] In the section entitled: 'THE RESEARCHER'S ROLE IN THE STUDY'.

Triangulation

This potential for bias was also addressed by triangulation. Academic triangulation can occur in many different ways, including through the use of different methods (probably the most common approach in social science research), within methods, through the use of contrasting information, adopting different theoretical perspectives in relationship to the data, as well as the use of different investigators. (Denscombe 2008:135-137; Stake 1995:107-120) Not only does this help in overcoming bias, but, as Yin (2009:114) points out, it also assists in "... establishing the construct validity and reliability of the case study evidence." This study integrated triangulation throughout the empirical data gathering activities. For example, a number of different sources of evidence were included within the case study. The selection of the individual case study countries entailed some specific contrasting variables. Secondary research was used to contrast with primary research and individual interviews assisted in further triangulation of data. Finally, the generalisable factors to planning SSR engagements were all shared with members of various SSR courses.

In order to increase the reliability within a case study, Stake (1995:122-124) recommended maintaining a chain of evidence, similar to that used in forensic science. This should ensure that a reader is able to trace the evidence both forwards and backwards, as well as adducing all relevant evidence including that which is perhaps contradictory. Therefore great care was taken to achieve transparency and accuracy with citations within the databases created by the researcher, and the cross-referencing of documents, interviews and observations. In addition, Hussey and Hussey (1997:173-174) recommend that the researcher would not only need to take care that the interview data was reliable but test it where appropriate, and this was what the researcher endeavoured to do.

Workshop Papers

During the course of the study the researcher presented several papers at various academic conferences and generated publications in order to develop and test ideas. Whilst these were helpful to the researcher at the time, it has also led to multiple copies of the researcher's words and phrases appearing on the internet. In the majority of cases, however, it is relatively easy to trace these words and phrases back to the researcher.

Generalised Factors

Once the case studies had been completed and written up, a comparative analysis of the data from both cases was carried out in order to produce cross-case conclusions. From those conclusions some generalised factors were constructed, which could then be used by NATO in considering future SSR engagements or re-assessing current ones. Finally, the strands of the research were then drawn together along with areas that had been identified for further research.

SUMMARY

This chapter has explained the methodological choices for the conduct of the research and the underpinning rationale for the choices that have been made. The position taken in this study is that SSR is a phenomenon. The ontological position is that it is socially constructed and is viewed in broadly subjective terms, which will change with time and specifically with regard to context. The epistemological position is that SSR has subjective meanings, but it is reality within the individual contexts that will provide acceptable knowledge and which will be of academic and practical significance, thus informing NATO's future policy and future engagements.

To that end the study has followed a broadly interpretivist philosophy and an interpretive paradigm, through an inductive approach. A case study design was selected as the dominant method but with several sources of evidence in a multi-method manner. Two individual case studies were selected with interviews being the main data gathering sub-method and document research and direct observation being the secondary sub-methods. A general research model based on the theory of institutionalism was used to analyse the data. Additional theories, typologies, and models, including the hermeneutic tradition, were used to gain additional insights.

CHAPTER 4

THE EVOLUTION OF THE NATO ALLIANCE

> "The Parties to this Treaty reaffirm their faith in the purposes and principles of the Charter of the United Nations and their desire to live in peace with all peoples and all governments. They are determined to safeguard the freedom, common heritage and civilisation of their peoples, founded on the principles of democracy, individual liberty and the rule of law. They seek to promote stability and well-being in the North Atlantic area. They are resolved to unite their efforts for collective defence and for the preservation of peace and security."
>
> *Preamble to the Washington Treaty* - 4 April 1949[1]

INTRODUCTION

NATO was born of necessity in the aftermath of the Second World War. It began its existence in 1949 with the primary objective of collective defence. It finds itself at the end of 2017, not just with the continuing role of collective defence, but also with a raft of other political and institution building roles. This transmogrification has not been without its problems and throughout NATO's history Cassandra's acolytes have frequently predicted its imminent demise.[2] This was particularly true at the end of the Cold War when "… theorists of the realist tradition have clearly and forcefully predicted NATO's demise." (Wallander & Keohane 2002:88) Nonetheless, nations still clamour to join the Alliance; others wish to have some form of operational or strategic partnership; yet more recognise the benefits of cooperation with the world's premier security organisation; and there remains a steady stream of such countries knocking on

[1] See NATO (1949).
[2] For example, in the aftermath of the meeting of NATO Foreign Ministers in Brussels on 2-3 December 2008. See: BBC News, *NATO Disagreements Still Simmer*, published on the BBC World News Website at 13:51:15 GMT, 3 December 2008. Available at: http: //news.bbc.co.uk/go/pr/fr/-/1/hi/world/7762601.stm) [Last accessed 20 February 2011]. Also: Shea (2010:11); Herd & Kriendler (2013:8).

the door of the NATO Secretary General to set up such arrangements. (Herd & Kriendler 2013:223-224)

The aim of this Chapter is to provide an overview of NATO's evolution, particularly its approach to assisting countries with their SSR. First, however, it is worth sharing some insights into the Alliance's genesis as the nature of its origins continue to influence the manner it acts on the world stage today. Second, there is a brief review of NATO's development during the Cold War. The third section explores NATO's operations since the end of the Cold War, both in former Yugoslavia and further afield. Next, this Chapter examines the development of NATO's approach and policy formulation in assisting countries with their security and defence reform and some of the institutional and policy issues that shaped that approach. Finally, NATO's evolution is viewed through an institutional lens in an attempt to understand why adopting an SSR framework was not welcomed as a common sense policy response to the challenge of insecurity.

GENESIS OF NATO

The concept of political and military alliances is not new. Thucydides' *History of the Peloponnesian Wars* provides a starting point for the art and craft of building alliances. (Freedman 2013:30-38) Alliances have been an indispensable tool of statecraft with the espoused aim of increasing state security. That is not to say they have always been successful, or that one state or another has not treated alliances as zero-sum games. Whilst academics and historians are not in complete agreement, there would seem to be a consensus that NATO is different from previous alliances (eg Kaplan (2004); Moore (2007); and Rhodes (2013)) and it is worth asking the question why? One should begin by examining the context of NATO's genesis.

The end of the Second World War saw many countries exhausted: physically, politically and economically. During the period 1945-46 the US government still

attempted to work with the USSR as it had during the war, but it soon saw a pattern of encroachment. (Clifford 1985:3-4) The most noteworthy of these were the communist coup in Czechoslovakia in February 1948 and the start of the Berlin Blockade in June 1948. These events led to a major re-assessment by the US National Security Council (NSC) of the threat posed by the USSR contained in a report entitled "U.S. Objectives with Respect to the USSR to Counter Soviet Threats to U.S. Security". NSC 20/4 spelt out a very bleak assessment of Soviet intent and capability:

> "The will and ability of the leaders of the USSR to pursue policies which threaten the security of the United States constitute the greatest single danger to the U.S. within the foreseeable future [...and...] the immediate goal of top priority [of the USSR] since the recent war has been the political conquest of western Europe." (NSC 20/4 1948: Paragraphs 2 & 3)

After a prolonged period of consultation amongst like-minded states agreement was reached to form an Alliance as a counter to an expansionist USSR. This was crystallised in the signing of the Washington Treaty in April 1949 and the formation of NATO. It signified a significant shift away from the tradition of isolationism by the US and a similarly transformative departure "… from centuries of loosely knit and quickly shifting alliances …" for the Europeans. (Hellmann 2006:2)

The Washington Treaty is commendably succinct with a mere fourteen articles. The treaty is firmly rooted in the UN Charter, including Article 5, which states that "... an armed attack against one or more of them in Europe or North America shall be considered an attack against them all ..." and that following such an attack, each signatory would take "... such action as it deems necessary, including use of armed force ..."[3] (NATO 1949) The treaty still lays the foundation for any vision of NATO's future. Whilst at first sight it might seem incongruous that a 68 year-old document would have much relevance in the

[3] In line with the wishes of the US Congress there is no 'automatic' obligation in Article 5 for allies to use force, unlike the wording of the 1948 Brussels Treaty.

current security environment, there is common accord that it does. (Moore 2007:148; Kupchan 2012) During a valedictory speech to RUSI in 2003 George Robertson claimed that the treaty was a model of 'clarity and brevity'.[4] The preamble to the treaty that is quoted at the start of this Chapter specifically states that the Alliance is "... founded on the principles of democracy, individual liberty and the rule of law." (NATO 1949) It is these underlying principles that have drawn new members into the Alliance and have served as the glue that welds Allies together. This cohesion was required during the Cold War that was to follow.

THE COLD WAR

The signing of the Treaty was, however, only the start of the process of forming NATO. In accordance with Article 9, structures needed to be put in place for the Allies to consult with each other and coordinate their activities. The detonation of a test nuclear device by the USSR in 1949 and the outbreak of the Korean War in 1950 hastened this process. (Shea 2010:12; Clifford 1985:8) In 1950 NATO took over the Western Union's military structure with a military HQ based in France. In the following year NATO appointed General Eisenhower as its first Supreme Commander Allied Command Europe and in 1952 appointed Lord Ismay as its first Secretary General with a permanent civil secretariat. The creation of these political-military institutions within NATO gave physical as well as intellectual substance to the Alliance and laid the foundations for an organisation that began to exist separately to that of its individual member states.

Much has been written about NATO's adaptation during the Cold War, but it is only intended to cover three 'critical junctures' that are germane to the topic of this thesis. First, events during the period 1956-1957, including the USSR's intervention in Hungary, the Suez crisis, and the launching of the Soviet Sputnik, put the process of political consultation between Alliance members

[4] Apparently the team crafting the Washington Treaty were tasked to write it "… so that it could be understood by a milkman from Omaha." See: Robertson (2008:42).

under severe strain. This led to a growing recognition that more robust consultative procedures must be an essential element of the way the Alliance conducts its daily business.[5] This resulted in an upgrading of the political horsepower accorded by member states to their staff in NATO HQ Brussels and increasing the political importance of NATO as an institution. (de Staerke 1985:161)

Second, the French president decided to withdraw from NATO's integrated military structure in 1966 and the following year both the NATO HQ and SACEUR's military HQ were obliged to move to Belgium. Shea argues that this schism was all the more painful because it exposed two more fault-lines in the Alliance. A unilateral decision was taken by the US to reduce NATO's reliance on nuclear weapons. The unhappiness amongst some of the smaller countries in NATO at this decision was exacerbated by a much broader concern of "... their lack of a voice and a role in NATO's discussions, particularly in exploring détente with the Soviet Union." (2010:13) In order to address these concerns the Harmel Report was commissioned in 1967, which sought to address both these issues and specifically to fulfil NATO's "... Article 2 pledges and strengthen the sense of political community between them." (Moore 2007:14) The Report recommended two essential tasks: first, *"...* to maintain adequate military strength and *political* solidarity..."; whilst second, "... to pursue the search for progress towards a more stable relationship in which the underlying *political* issues can be solved." (NATO 1967. Emphasis added.) This reaffirmed the political role that NATO was playing as an institution.

Third, the arrival of Soviet President Gorbachev on the political stage in 1985, with his emphasis on *glasnost* and *perestroika*, changed relations between the USSR and the US. (Kaufman 2002:9-10) Within two years an intermediate-

[5] To some extent NATO had already identified these weaknesses before the events of 1956 – 1957. A panel of "Three Wise Men" was set up in May 1956 to "advise the Council on ways and means to extend cooperation in non-military fields and to strengthen unity in the Atlantic Community". From May 1957 their recommendations were implemented, although the new procedures still do not prevent unilateral actions by Alliance members. For more details see: Kaplan (2006).

range nuclear forces treaty was signed, eliminating all such missiles and, as NATO suggests on its website: "This is now regarded as an initial indication that the Cold War was coming to an end."[6]

Indeed, the Alliance began to anticipate this change, as was reflected in the final communiqué of the NATO Heads of State Government (HoSG) Summit in March 1988, where they not only emphasised Alliance unity in the changing political times (Kaufman 2002:11) but reaffirmed that they were "... confident that the principles and purposes of our Alliance remain valid today and for the future." (NATO 1988: Paragraph 19) This shift was also reflected in the (now declassified) US National Security Directive 23 in September 1989 that highlighted the changes that were taking place in the Soviet Union and it suggested that they would allow the US "... *to move beyond containment* to a US policy that actively promotes integration of the Soviet Union into the existing international system." (NSD 23 1989:2. Emphasis added.) On 9 November 1989 the Berlin Wall fell and inexorably so did the Warsaw Pact and the communist regimes in Eastern Europe. There was an outpouring of raw emotion but, with the collapse of the certainties of the past, there were fresh uncertainties to be faced by NATO and its members in the future. It was a time of immense change and heralded the first deployment of NATO troops on operations.

NATO's OPERATIONS AFTER THE COLD WAR

Many scholars assert that the Cold War ended with the formal dissolution of the USSR on 25 December 1991 (eg Kaplan (2004:116) and Medcalf (2008:60).) In reality, however, NATO had been debating and shaping its post-Cold War role for the previous two years. Not only had the nations of the Alliance actively supported the coalition to oust Iraqi forces from Kuwait in 1990-1991, but also NATO HoSG had approved a new Strategic Concept in Rome on 7-8 November 1991. (NATO 1991) Whilst this new concept preserved the core function of

[6] NATO, *A Short History of NATO*. Available at: http://www.nato.int/history/nato-history.html. [Last accessed 2 January 2014.]

collective defence,[7] it also recognised the 'multifaceted and multidirectional nature' of the new risks and "... of instabilities that may arise from the serious economic, social and political difficulties, including ethnic rivalries and territorial disputes, faced by many countries in central and eastern Europe." (NATO 1991: Paragraph 13) The use of the term 'risks' appeared frequently in the Concept.[8] Wallander and Keohane (2002:108) suggest that this might reflect NATO's impending change in approach from a threat-based alliance to a security management institution that deals more with 'risks'.

It was the disintegration of Yugoslavia, however, with its tide of ethno-nationalism that provided NATO with a reason for change. The first deployment of combat troops proved to be crucial in reshaping the Alliance's structure and developing the capability to deploy and sustain combat troops on the edges of the Euro-Atlantic area. It also showed the way in which security could be delivered in the future, balancing both 'hard' and 'soft' power. Over time, NATO demonstrated that it could move beyond collective defence and assist "...countries to transition from [being] security consumers to security providers." (RUSI 2008:9) A combination of this ability to provide support to reform, as well project force beyond the Euro-Atlantic region would not have been possible with the Cold War NATO.

Conducting operations in the Western Balkans did not begin smoothly at either political or military level. Nonetheless, the Alliance gradually became more sure footed as it demonstrated "... a classic exercise in diplomacy backed by force …" (Meyer 2009:253) during the bombing of Serb targets in BiH in 1995 and then in Serbia in 1999. A more detailed treatment of NATO's role and impact in BiH and Kosovo is provided in Chapters 5 and 6 of this thesis.

NATO's response to the events of '9-11' was to invoke Article 5 of the Washington Treaty (in effect an attack on one member of the Alliance is

[7] As it does today with the adoption of the 2010 Strategic Concept. (NATO 2010b)
[8] The term 'risk' appears 29 times in the Concept, whilst 'threat' appears only nine times, and then mainly referring to threats in the past.

regarded as an attack on all members) on 12 September 2001. It was the first and only time that the collective defence Article 5 has been used. There were several surprising features about the declaration. First was that the North Atlantic Council's declaration had its genesis in a telephone conversation between two British politicians: the UK's Prime Minister, Tony Blair and the NATO Secretary General, George Robertson. Second, it had always been assumed that Article 5 was the means of committing the USA during the Cold War to come to the assistance of a European Ally or Allies that had been attacked. In this instance, the attack had taken place in continental USA and it was the European Allies who were in support. And third, the attack was not a state-sponsored attack but one launched by a terrorist group. (Medcalf 2008:114-119)

In the follow up to the declaration, NATO agreed to deploy five Airborne Warning aircraft to patrol the eastern seaboard of the USA (Op EAGLE ASSIST) and it launched a maritime surveillance operation *(*Op ACTIVE ENDEAVOUR) as part of its counter-terrorism drive in the Mediterranean. This latter operation was replaced in November 2016 by the non-Article-5 Operation SEA GUARDIAN and apart from patrolling the entire Mediterranean and escorting ships through the vulnerable choke points of the Straits of Gibraltar and the Suez Canal, it has become a useful framework for military cooperation and capacity building.[9]

In early October 2001 NATO began to provide some limited assistance to the US Op ENDURING FREEDOM (OEF) inside Afghanistan. (Medcalf 2008:22-26) NATO's involvement in Afghanistan has always been contentious for many Allies (Kitchen 2010:1) with frequent debates over resources and responsibilities. Nonetheless, from a predominantly US mission with a geographically limited NATO International Security and Assistance (ISAF) mission, the Alliance's involvement grew in scope and size to 132,000 NATO

[9] NATO, *Operation SEA GUARDIAN*. Available at: http://www.mc.nato.int/media-centre/news/2016/nato-operation-sea-guardian-kicks-off-in-the-mediterranean.aspx [Last accessed 25 August 2017].

military and civilian staff[10] at its peak in 2011. It was the largest operation that NATO had ever undertaken and required an unprecedented level of civil-military cooperation. It has nurtured a new doctrine on stabilisation and a more whole hearted commitment to the 'Comprehensive Approach' that was first articulated at the Riga Summit in November 2006. (NATO 2006: Paragraph 10) The Alliance drew down the ISAF mission at the end of 2014 and the new support mission, Op RESOLUTE SUPPORT, has some 13,000 military and civilian personnel, who are

> "... supporting planning, programming and budgeting; assuring transparency, accountability and oversight; supporting the adherence to the principles of rule of law and good governance; supporting the establishment and sustainment of processes such as force generation, recruiting, training, managing and development of personnel."[11]

The majority of these supporting tasks are SSR-related. It is not the place of this study to dwell further on them but it would seem prudent to research the relationship between NATO's role in supporting a potential member of the Alliance with its reform processes and countries such as Afghanistan and Iraq, which are outside the Euro-Atlantic region. This is an issue considered further in Chapter 8.[12]

From 2008 until 2016 NATO had also been conducting counter-piracy operations (Op OCEAN SHIELD) in the Gulf of Aden in response to the threat from Somali pirates. Initially these were escorts to the UN World Food Programme (WFP) vessels transiting through these dangerous waters. In addition, NATO then began to conduct deterrence patrols, which aimed to deter or interrupt pirates hijacking ships and taking crews hostage. The operation

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[10] ISAF, *International Security Assistance Force: Key Facts and Figures,* dated 3 February 2011. Available at: http://www.nato.int/nato_static/assets/pdf/pdf_2011_01/2011_02_13BBB0C1D42F4D0D886C390E9F14EBF3_ISAF-placemat-3Feb2011.pdf [Last Accessed 21 August 2016].

[11] NATO, *Operations and Missions: Past and Present - NATO in Afghanistan*, updated 12 July 2016. Available at: http://www.nato.int/cps/en/natolive/topics_52060.htm [Last accessed 21 August 2016].

[12] See section entitled: 'PROPOSALS FOR FUTURE RESEARCH'.

gradually evolved and was closely coordinated with the European Union and the wider international community's response to the threat. This is hardly surprising given, for example, that some "... 25% of Europe's trade and energy [...] transits through the Suez Canal every day." (Shea 2010:32.) In much the same way as Op ACTIVE ENDEAVOUR had widened its remit, the Op OCEAN SHIELD also offered training to countries in the region to develop their own counter-piracy capacity.[13]

The last operation to be covered is Op UNIFIED PROTECTOR in Libya. During a pro-democracy uprising in Libya in early 2011, there was evidence of attacks against civilians by the Libyan security forces. The UN Security Council passed Resolutions 1970 and 1973, which condemned the 'gross and systematic violation of human rights' against the Libyan people by the Gaddafi regime. The resolutions called for an arms embargo and a no-fly-zone, and it authorised member countries to take 'all necessary measures' to protect Libyan civilians. NATO's involvement in Libya and its surrounding region began with enforcing the no-fly-zone and then the Alliance took over sole command of UN military operations in Libya on 31 March 2011. There are mixed reviews of NATO's involvement in the crisis, which seemed to have migrated from a mission to protect civilians to "... de facto regime change." (Larsen 2013:61) The Alliance's intervention undoubtedly helped bring the uprising to a conclusion and Op UNIFIED PROTECTOR was ended on 31 October 2011. The twin significance of this operation, however, is that it seems to indicate that NATO will probably continue to operate outside Europe and so will its willingness to support the building of accountable security structures in this part of the world. (Yost 2014:15) Evidence of this can be found in the dialogue between NATO and the Libyan authorities concerning the DCB initiative. (NATO 2016a)

[13] The operation concluded at the end of 2016. For more details see: *NATO Concludes Successful Counter Piracy Mission***,** updated 15 December 2016. Available at: http://www.nato.int/cps/en/natohq/news_139420.htm?selectedLocale=en [Last accessed 28 August 2017].

Taking time to reflect upon the aftermath of these various post-Cold War operations, all of them have been followed by some form of security cooperation that mainly involved capacity building and advice or mentoring. This would seem to be consistent with the thrust of NATO's 2010 Strategic Concept (NATO 2010b) and the third of NATO core tasks: 'cooperative security'. An attempt to find a definition of the term, however, would be doomed to failure as none exists. (Yost 2014:14-16) This may be 'constructive ambiguity' on the part of the IS in NATO HQ Brussels[14] or it may be a lowest common denominator approach. The French scholar Pertusot has suggested one definition of 'cooperative security':

> "… as an institutionalized or non-institutionalized arrangement, involving a group of states who pursue dialogue and cooperation on a wide variety of issues, primarily concerning security." (2009:23)

The difficulty for both NATO and partners alike is that nobody quite knows what assistance is on offer, or how much commitment to democratic norms is required from the partner. Much of the assistance could fall under the rubric of SSR but, then again, without a NATO framework for SSR there is little clarity about what it would entail and what it would not. Is it a governance agenda as the SSR-relevant IGOs would suggest and the majority of the PfP programmes would support, or is it merely an extension of operational partnerships – in effect 'train and equip'? Pertusot fears that it is likely to be the latter. (2009:37-38) This issue will be discussed again later in the Chapter.[15]

It would now be appropriate in the next section to discuss in more detail NATO's formal approach to partnerships and cooperation including PfP.

PARTNERSHIP AND COOPERATION - THE REFORM PROCESS

[14] As suggested by Interview N10.
[15] See section entitled: 'NATO AS AN ADAPTIVE INSTITUTION'.

Since the end of the Cold War, NATO has demonstrated that it is more than capable of using both 'soft' and 'hard' power to achieve its political and security objectives. Its interventions in the Western Balkans, following the break-up of Yugoslavia, helped to stabilise the region and its norm-setting agenda has assisted individual countries to become members of PfP and then of the Alliance itself. (Jazbeć 2004:117-136) The process of preparing countries to be interoperable with both Allies and Partners has encouraged a range of reforms across the entire government sector. (Morffew 20106:12)

Chapter 1 presented an overview of NATO's role in assisting countries to conduct their defence and security sector reform. The aim of this section is to expand upon that information and to analyse critically that role since the Cold War and its policy development within NATO.

Partnership for Peace (PfP)

With the ending of the Cold War, NATO recognised the potential for instability and insecurity in the former Eastern Bloc, particularly with the rise of ethno-nationalism. (NATO 1990) It was a concern that was felt on both sides of the Atlantic, and none more so than in Central and Eastern Europe (CEE). Ron Asmus (2002:13) described a panel he was chairing in Poland in June 1990, when a Polish official asked if it was possible to join NATO and a serving Polish General asked if US troops could be stationed on Polish soil in order to provide security. The issue of instability on the borders of NATO was also brought firmly into focus with the fragmentation of Yugoslavia that began in 1991. It was in response to that threat that the Rome HoSG Summit in November 1991 agreed a new Strategic Concept for NATO and established a North Atlantic Coordinating Council (NACC). (NATO 1991) The latter was designed to foster cooperation with members of the former Soviet Bloc and create a forum to discuss defence-related issues including defence conversion. (Kaplan 2004:114-115)[16]

[16] The NACC morphed into the Euro-Atlantic Partnership Council (EAPC) in January 1997.

The debate on how to reduce these instabilities and how to lock the countries of Eastern Europe into a wider democratic framework fully emerged in the public domain in the spring of 1992. (Medcalf 2008:17; and Asmus 2002:17) On 6 May 1992 in Prague, President Vaclav Havel (Czech Republic), President Lech Wałesa (Poland), and Prime Minister József Antall (Hungary) announced their intention to apply for full membership of NATO. (Moore 2007:22) Few in the West knew how to respond.

It was not until the new Clinton administration took office in early 1993 that the possibility of NATO enlargement was actively discussed in policy circles within Washington. Although initially there was complete deadlock, a combination of considerable lobbying and a new US President who was favourably disposed to enlargement saw an emerging policy consensus, both in the US and in Europe. This consensus became evident in October 1993 when the Clinton Administration proposed "... a new initiative designed to promote political and military cooperation across Europe, which would come to be known as Partnership for Peace (PfP)." (*Ibid*:24.) Although there was initially some scepticism that it was a policy sop to the 'Visegrád Three'[17], it became apparent at the Brussels NATO HoSG meeting in January 1994 that active participation in PfP would be a factor in the selection for membership. This process was aided by strong personal support from the then-NATO Secretary General, Manfred Wörner.[18] (Asmus 2002:40-49)

This policy debate during the early 1990s should also be viewed through the lens of institutionalism. There were three key institutional issues that predisposed the Alliance to conceive and then adopt the idea of PfP. First, the

[17] A term that was used to group together Poland, Czechoslovakia and Hungary after they had met at Visegrád in February 1991 and pledged their Euro-Atlantic credentials. From the researcher's own experience, it was noted that once the Czech and Slovak entities split amicably in the so-called 'velvet divorce' in 1993, it was the Czech Republic which assumed the mantle of the third member of the 'Visegrád Three'. If Slovakia is included, then they are termed the 'Visegrád Four'.

[18] Wörner was a supporter of NATO enlargement even before the NATO nations, including the US (Hendrikson 2010:61).

future role of NATO and continuing existence of the Alliance had been the subject of intense debate both in capitals and in Brussels. As discussed in the previous section,[19] the move from a threat-base alliance to a security management institution chimed with this opportunity to project stability to Eastern Europe with NATO as the 'agent of change'. (Yost 2014:8-10; NATO 1990)

Second, there were also those, like Daalder (1999:6-7), who recognised that the continuing existence of NATO acted as a counter to the uncertainties of a new and unknown security environment, so bringing a degree of continuity and reassurance. Wallander and Keohane also argued that as states have long invested in acquiring information in the face of uncertainly, so it would seem apposite for them to invest in institutions that reduced uncertainty. (2002:95)

Third, there is the 'sunk cost' argument. Both Pertusot (2011:11) and Wallander (2000:705-706) suggest that as institutions are expensive to create and less expensive to maintain this might, in part, explain NATO's continuing existence. Wallander goes on to argue, however, that the member states must still have wanted NATO to survive as an "… institution will not persist if it no longer serves the interests of its members." (*Ibid*) There is merit in that argument and the existence of an integrated command structure within NATO and an extant military doctrine proved to be invaluable as events in the Yugoslavia unfolded and the need for military and political planning ensued. Although NATO doctrine was predicated on Article 5 scenarios, it proved adaptable to the new non-Article 5 environment. Similarly, the processes for consultation and decision-making within NATO proved to be essential in facing the new security challenges.

It was against this backdrop that NATO developed the 1994 PfP Framework Document,[20] which is the foundation document that has guided both reform in the CEE and later NATO enlargement. It provided a series of objectives for

[19] See section entitled: 'NATO's OPERATIONS AFTER THE COLD WAR'.
[20] See: http://www.nato.int/docu/comm/49-95/c940110b.htm. [Last Accessed 23 January 2011.]

participants, including 'civilian direction and overall control of its armed forces' and the partnership arrangements with NATO Allies. The document "... envisaged specific subject areas on which Allies and Partners would consult that included, but were not limited to: political and security related matters; defence planning and budgets; and, defence policy and strategy." (Morffew 2007:11) It also set out some international agreements that were expected to be adhered to, including the 'Charter of the UN' and the 'Universal Declaration on Human Rights'.

At this stage only a limited number of programmes were instituted, but these grew in size and complexity as the NATO IS became more experienced in what worked and what did not. Furthermore, significant change was experienced as consultation with former Warsaw Pact Countries changed to real partnership. As Simon argues, whilst:

> "... some in CEE initially saw PfP as a palliative (no enlargement), PfP did move non-NATO members beyond dialogue and into practical partnership. PfP developed a framework and process; established the norm that partners should be 'contributors' and marked a shift from purely military dialogue to bilateral (partner and Alliance) relationships in the form of Individual Partnership Programs (IPPs) and self-differentiation. It marked the establishment of a wide environment of cooperation, to include the Planning and Review Process (PARP), transparency, civil control/oversight of the military, and peace support operations." (1999:1-2)

The programmes all used democratic norms as tools to change both behaviour and structure. As discussed in Chapter 2,[21] the CEE countries welcomed these reforms as a means of shedding communism and becoming part of the 'West'. A selection of the tools and programmes mentioned by Simon are set out in Figure A11.1 in Appendix 11, along with more contemporary programmes like MAP.

[21] See section entitled: 'Capacity Building Through Norm Setting and Conditionality'.

An oft spoken criticism of the NATO PfP system is that is has become so complex that it remains impenetrable to all but the *cognoscenti*.[22] The point is well made and the entire system could withstand some simplification. It is not the intention to dwell here in detail on all of these tools and programmes but to highlight some that have had a substantial impact on the reform of Partner countries. Others will also be mentioned during the case studies in Chapters 5 and 6. The key, however, was their preparation for accession to NATO membership and this will be discussed in the next section.

NATO Enlargement

The post-Cold War foundation document for membership of NATO was the 1995 *Study on NATO Enlargement* (NATO, 1995). "This study [...] highlighted what was expected of prospective NATO members, but it did not deal with establishing a process to help interested countries to satisfy these requirements or monitor their progress." (Cascone 2010:177) For example, it was felt that NATO's assistance during the first post-1991 round of enlargement did not fully prepare the Czech Republic, Poland or Hungary to be proficient in all areas of Alliance work. Cascone goes onto argue that this led directly to the creation of the MAP process in 1999, which was a roadmap that provided direction and structure to aspirant Partners. (2010:177-178)

The enlargement of NATO began, however, in 1952 and continued throughout the Cold War. A decision to accept a new member at that time was on the basis of political calculation, geo-strategic interest, and common view of the threat posed by the USSR. There is now a far greater concern that aspirant members should add value to the Alliance, including providing troops for NATO's operations, and not cause problems from within. The key concern was that an alliance built on consensus needed to ensure that new members had the same set of values as those already in the Alliance, which is entirely in the

[22] This view has been echoed in a number of interviews including one with a senior NATO commander (Interview N3) and a senior NATO official (Interview N6).

spirit of the wording of the Washington Treaty Preamble. As a result of these concerns, Allies have always been careful not to be too specific in defining membership criteria. As a member of the IS, Gabrielle Cascone, explains:

> "... [E]nlargement decisions [... are regarded ...] as political matters, in order to leave its members a certain discretionary power in deciding which nations to admit (and when to admit them) rather than tying their hands because nations have met technical criteria." (2010:177)

Those countries that have joined since 1952 are listed in Table 4.1 below:

Date of Accession	Country(ies)	Comments
(a)	(b)	(c)
1952	Greece and Turkey	
1955	Federal Republic of Germany	
1982	Spain	
1990	German Democratic Republic	As a result of German re-unification, the territory of the former German Democratic Republic becomes part of the Alliance. Although this is not normally regarded as one of the rounds of enlargement, the event is included in the NATO Public Diplomacy Division factsheet.[23]
1999	Czech Republic, Hungary and Poland	These were the first former Warsaw Pact countries to join NATO.
2004	Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia and Slovenia	These were the first new entrants who had been through the MAP process. Slovenia was the first of the Western Balkans countries to accede.
2009	Albania and Croatia	Macedonia was also invited to join the Alliance once it had resolved the "name" issue with Greece. This issue has not yet been resolved.

[23] Original citation was a 2004 NATO Public Diplomacy Division Factsheet. This is no longer available on line. See NATO (2016b:2) for latest version.

Date of Accession	Country(ies)	Comments
(a)	(b)	(c)
2017	Montenegro	Included for completeness although this occurred after the period under discussion in the thesis.

Table 4.1 Accession to NATO

(Source: NATO, *Member Countries*, dated 30 June 2017. Available at: https://www.nato.int/cps/en/natohq/topics_52044.htm [Last accessed 1 July 2017].)

As explained in Appendix 11, it is the MAP that is the key tool for implementing SSR-related reforms. It focuses on five areas of reform across government. Although this approach is not explicit policy, it would seem to acknowledge the need for a holistic view of reform in a country, with defence reform being just one element, and not necessarily the most important. Within NATO HQ Brussels, responsibility for engagement with partners, including aspirant members, lies between the Political Affairs and Security Policy (PASP) Division and Defence Planning and Policy (DPP) Division. Although at first sight this split might seem incongruous and result in potential overlap, the practical outcome was that PASP dealt with the political aspects of SSR, and DPP dealt with the more technical aspects of force planning.

A graphical representation that shows the various PfP tools and programmes over time, and how they lead to membership, is at Figure 4.1 below:

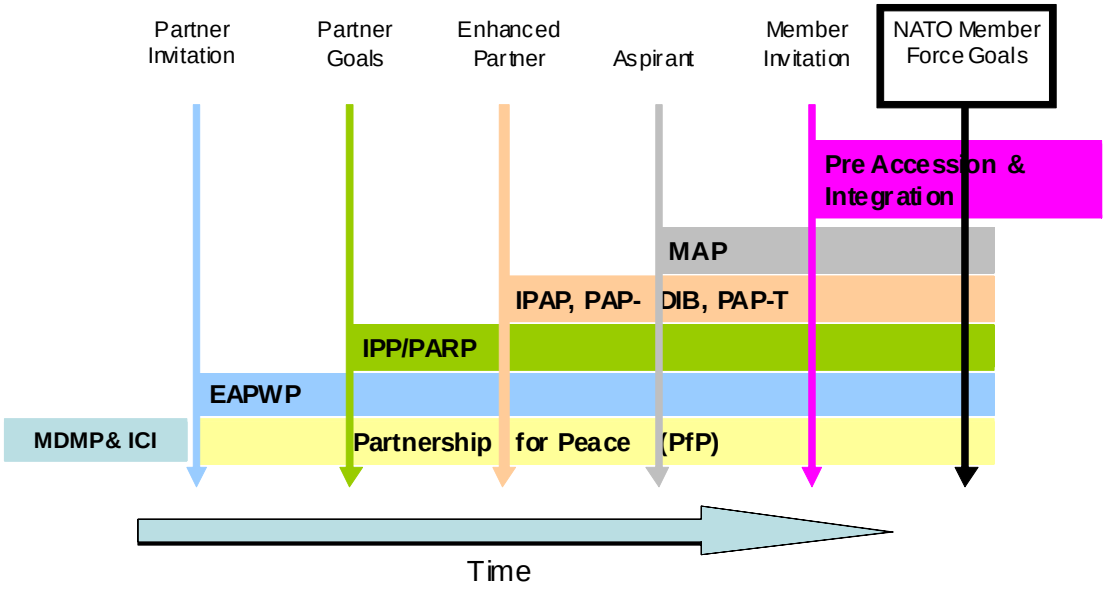

Figure 4.1 Support to PfP and MAP Countries
(Source: DPP Division, HQ NATO, Brussels)

Conditionality was a key plank of acceptance for NATO membership. Chapter 2 discusses the theory in more detail,[24] but it would be worth reinforcing the point that aspirant countries have a choice. They can implement the reforms set out through the NATO norms and standards, and thus be accepted for membership, or they don't implement the reforms and their membership application is rebuffed. Schimmelfennig (2007:127-129) emphasises the point that the "… political conditionality of the European regional organizations is strictly rewards-based."

Whilst the PfP tools have been particularly helpful in charting reform (both defence reform and SSR) for the aspirant members before their final

[24] See section entitled: 'Capacity Building Through Norm Setting and Conditionality'.

acceptance as full members of the Alliance, it is worth noting that Alliance membership is not necessarily the desired end goal. For example, Serbia has proved to be a committed member of PfP, but it has been clear that it does not wish to be considered for full membership.[25] A number of partners in the Mediterranean Dialogue (MD) and Istanbul Cooperative Initiative (ICI) have also found these tools and programmes extremely valuable, but, in both cases, there is no possibility of them being either members of PfP or of the Alliance due to the geographical limitations imposed by the Washington Treaty. (NATO 1949: Article 6) The next section deals with NATO's attempt at producing a policy on SSR to complement the PfP tools and programmes.

NATO's Attempt At Producing a Policy on SSR

During the early to mid-2000s there was a growing recognition within the international community that there was a need to harmonise individual organisation's approaches to SSR in order to create synergies and reduce duplication. As Law pointed out, if "... there is no coordination at the policy level, it can be a recipe for duplication, policy confusion, misuse of resources, and so on." (2004**:**36) In turn this led to both the EU and the UN producing their own policy documents on SSR. There was a similar movement within NATO. During this period it was recognised that defence reform in isolation from SSR was problematical. During a 2002 interview with the Chairman of the NATO-Ukraine Joint Working Group on Defence Reform (JWGDR), Assistant Secretary General Edgar Buckley, was very specific in including discussion of the broader security sector reform in the meeting and not just defence.[26] He

[25] NATO, *Relations with Serbia*, updated 9 December 2015. Available at: http://www.nato.int/cps/en/natolive/topics_50100.htm?selectedLocale=en. [Last accessed 21 August 2016].
[26] NATO, *NATO-Ukraine Cooperation on Defence Reform*, last updated 3 November 2008. The interview was on 28 October 2002 and was for NATO-Ukraine magazine *'Novyny'*. Available at: http://www.nato.int/cps/en/natolive/opinions_19697.htm?selectedLocale=en [Last accessed 21 August 2016].

went on to add: "Defence and security sector reform is not unique to Ukraine. Every NATO and Partner nation faces a similar challenge."[27]

In response to that challenge NATO HQ Brussels began to develop a policy framework for SSR. On 28 April 2005 DASG John Colston chaired a meeting at HQ SHAPE in Mons, Brussels, in order to take stock of the activity that NATO was already conducting in the area of SSR. Whilst it was relatively clear that programmes like PARP were a single political-military activity led by the Political Security Committee (PSC) in Brussels, there was less clarity over SSR. In the field, different military HQs had different tasks and missions. Only NATO HQ Skopje (NHQSk) had SSR as part of its mandate. In recognition of the political nature of SSR, COM NHQSk also had authority to liaise directly with NATO HQ Brussels on political issues as long as he kept his own military chain of command informed. No other military HQ had such latitude. In concluding the meeting DASG Colston indicated that it was his responsibility to provide overarching guidance in this area, although he recognised that some nations were not interested in a global approach to SSR and were content to deal with matters on an individual, case-by-case basis, such as NATO had done with Ukraine. There was agreement that SSR advisors in the field needed to be mixed civilian-military teams and that they were best employed at the latter stages of post-conflict activity. Whilst troop contributing nations would produce military personnel, HQ NATO Brussels would normally source civilian staff and it was not resourced for this.[28]

The next stage of the process was an exchange of information between the various levels of NATO HQs including another meeting between SHAPE and NATO HQ Brussels on 6 July 2005. In the autumn of 2005 DPP Division began

[27] This broadening of the reform process in Ukraine has been echoed subsequently, including by DASG John Colston during an interview on 11 January 2006. NATO, *Explaining NATO-Ukraine Defence Cooperation*, updated 4 November 2008. Available at: http://www.nato.int/cps/en/natolive/opinions_22592.htm?selectedLocale=en [Last accessed 21 August 2016].

[28] The detail contained in this paragraph were the author's reflections from the meeting and can be found in his personal notebook for 28 April 2005. (Notebook for period 9 April 2005-30 September 2005.)

the process of seeking consensus within NATO HQ on an SSR policy by issuing a draft paper.[29] After rehearsing the background of PfP, IPAP and other tools and programmes, the 7 September 2005 draft paper explained in conventional terms the scope of SSR but suggested that: "NATO's involvement in SSR is more limited than this [... definition...] would imply. As the following paragraphs will show, NATO's aim is to promote democratic control, transparency, the rule of law, accountability and informed debate, and to reinforce legislative capacity for adequate oversight of security systems." (Paragraph 9) It then identified how various PfP tools, including MAP, IPAP and PAP-DIB, have strong SSR strands (Paragraphs 10-14). The paper summarised NATO's role in SSR by suggesting that:

> "Through its involvement in SSR, NATO has assisted Partners to adapt defence structures and improve all aspects of the management of defence. [...] For Partners in the MAP, NATO's involvement in SSR has been particularly important in preparing for eventual NATO membership." (Paragraph 16)

The draft paper went through two iterations in committee before progress stalled and in 2006 the idea was quietly dropped. In the meantime, the military chain of command continued to work on fulfilling their part of the plan initiated by DASG Colston with Joint Force Command (JFC) Naples developing their own draft SSR concept[30] during the latter half of 2005. In January 2006 DSACEUR appointed a military officer to be the 'Security Sector Reform Advisor' to the Commander of JFC Naples[31] and to set up a SSR Office to oversee NATO's SSR activities within the Western Balkans and act as repository for 'good practice'. The office was a mixture of both military and civilian personnel. In January 2007 it became fully operational with its own policy concept.[32] By this time, however, the military chain of command had caught up with the mood music coming from NATO HQ Brussels and the term

[29] DPP(FPD)(22005)0114 dated 7 September 2005. Copy held by researcher.
[30] JFC Naples, 3050/JS PMX/05, dated 21 October 2005. Copy held by researcher.
[31] DSACEUR, SCGXD/DSACEUR/6300/SHHRX/KS/05 dated 23 January 2006. Copy held by researcher.
[32] JFC Naples, OJS PPX/SSR/2007 dated 4 January 2007. Copy held by researcher.

SSR in everyday parlance within NATO was replaced with the 'military aspects of SSR' and a concomitant focus on 'defence reform'. In 2009 the SSR Office in JFC Naples was subsumed into a Military Cooperation Directorate and in SHAPE a new Military Cooperation Division (MCD) was created in 2010.[33] The overarching term for this type of activity became known as 'Cooperation'.

As mentioned earlier in this Chapter, NTM-A was set up in November 2009. It quickly became apparent that in order to have some measure of success, the remit of the organisation would have to be much broader than merely the classic US style 'train and equip' or NATO's 'military aspects of SSR'. An analysis of NATO's webpage[34] on the NTM-A's role in 'Developing Afghan Security Forces' shows that it has a role not only in assisting the Afghan National Army (ANA), but also the police, the intelligence services, and the National Security Directorate. Apart from assisting at the tactical level, it also provided support both at the strategic level of the Afghan National Security Forces (ANSF), as well as capacity building and good governance at the institutional level, including the Ministries of Defence and Interior. One of the more unusual aspects of NTM-A's mission has been the delivery of basic literacy courses to the ANSF. Lieutenant General Bill Caldwell, a former NTM-A Commander, suggested that with an 86% illiteracy rate in the ANSF, individuals were unable even to identify which were their weapons or somebody else's, because they could not read the serial numbers. They were also unable to take orders and pass them on to their subordinates in a coherent manner, because they could not take written notes. Improving overall literacy was thus a key element in improving the ANSF's efficiency and effectiveness. (Caldwell 2011:13-15) In sum, this is far broader than just defence reform. As a codicil to

[33] The MCD took over from the Partnership Cooperation Cell (PCC) that was established in 1994 at the start of the PfP Programme. See: https://militarypartnerships.org/organization/military-cooperation-division. [Last accessed 13 December 2013.]

[34] NATO, *Developing Afghan Security Forces*. This page was available at: http://www.nato.int/cps/en/natolive/topics_92726.htm?selectedLocale=en [Last accessed 22 January 2014]. This link has been removed and a reader is redirected to: NATO, *NATO and Afghanistan - Building the Capacity of Afghan Forces*, updated 14 June 2016. Available at: http://www.nato.int/cps/en/natohq/topics_8189.htm [Last accessed 22 August 2016]. The information contained on this new website is similar but not quite as specific as the previous one.

this discussion, in 2013 NATO HQ Brussels began to define key areas of 'cooperation' with all partners: one of those areas is now 'defence and security sector reform'. The term SSR has now returned to NATO's lexicon, although the absence of a NATO policy on SSR remains a lacuna.

It is perhaps worth dwelling for a moment on why NATO's draft policy on SSR was abandoned and why this policy lacuna remains. One major reason is that with many issues where there is not a common NATO view, a draft policy often ends up being the lowest common denominator that can be agreed due to the need for consensus.[35] As a member of the IS suggested with regard to the SSR policy: "You've got to come up with something that every nation will agree to, and the danger is that once you start committee discussion, it ends up being so watered down you end up worse off than [...being...] without one."[36] The interviewee went on to say that whilst France had been the principal stumbling block in the past, there were other Allies that are using such issues as a lever in the ongoing EU-NATO institutional battle. It was clear that France had taken the view that the EU had the core competence in SSR due to its range of political and military tools, whilst NATO should restrict its activities to defence reform,[37] which is at odds with a basic principle of SSR for approaches to be holistic. A member of the JFC Naples staff, Jake McFerren, also commented upon this schism when he highlighted the need for cooperation amongst SSR actors:

> "... there are nayth-sayers out there saying NATO has no role in any of this. I firmly believe they're wrong. There are folks in Brussels and the EU who say that this is the EU's role – they're right, it is, but it's not solely the EU's role, just like it's not solely NATO's role. [...] There's a role for everybody here, and it's not necessarily a limiting role. This is an inclusive, very inclusive, endeavour."[38]

[35] Interview N10.
[36] Interview N7 (member of the NATO IS).
[37] Interview N6.
[38] Interview N2.

Whilst it would seem clear that the nations' views are very influential in NATO policy formulation, there are some that see a more Machiavellian undercurrent. An officer in the International Military Staff (IMS) suggested that he knew individual members of the IS to deliberately "wind up" certain nations about an issue, which had then caused that nation to veto that initiative.[39] Although pressed for a specific example, the individual declined to elaborate for various reasons. In the example of the draft SSR policy, one senior official in the IS did suggest that "... there is flexibility in not having a policy,"[40] and the individual went on to say that he had been "resisting" the creation of an SSR policy. When asked whether there was a possibility of a policy note or concept coming out from NATO in the foreseeable future, the interviewee stated bluntly: "Not in my time."[41] When urged for further clarification, however, the individual did not seem, *per se*, to be against NATO assisting countries with their SSR. Quite the reverse, there seemed to be a firm desire for the IS to maintain its level of flexibility in handling SSR matters. As the senior official went on to say:

> "If I could see any way in which we could write a policy that would not be restrictive for us, and which in the whole negotiation process as it goes through NATO committees would not be used by one country or another to restrict the sort of things we can do in Security Sector Reform, then I would happily write that paper, but all I can see is problems ahead if we try and do that."[42]

It would therefore seem that NATO is unlikely to agree an SSR policy or framework in the near-term, but how much would that impact upon NATO? When asked whether NATO could survive without it, another official in NATO HQ Brussels averred that:

> "[W]e can survive, of course we can, we've been doing it for however many years it is, since the 1990s when the last review of Partnership for Peace took place. So, yes, we can survive without it, although it would better to have one.

[39] Interview N9.
[40] Interview N6.
[41] *Ibid*
[42] *Ibid.*

> [...But, for example...] we've been involved in the governance side for a long time. If you look at what we've done through Partnership for Peace in a lot of nations, a lot of it is about governance [...], but we don't dress it up that way."[43]

When discussing policy development, one individual in NATO HQ Brussels offered an interesting view by suggesting that NATO does not spend much time on developing policy as often the preference is to try something in practice, and then codify it afterwards. The interviewee suggested that this bottom up approach has been quite a successful in many areas.[44] This was echoed by a DASG who suggested that NATO's role in governance and development has undoubtedly increased as a result of the influence of NATO's Senior Civilian Representative (SCR) in Afghanistan although "extreme care and caution" still needed to be exercised because of NATO's red lines.[45] Furthermore, as explained by individuals in both the IS and IMS, the NATO decision to place civilian planners in SHAPE would allow the military chain of command (with embedded civilian expertise) to assume responsibility for some of these governance and developmental issues inherent in SSR.[46]

It is worth reflecting more upon some of these issues in detail. It is clear from interviews with members of the NATO IS staff[47] the role that France has played in blocking NATO's policy on SSR. As mentioned earlier NATO-EU institutional rivalry is the oft-quoted reason.[48] In drawing upon principal-agent theory, Koops seems to confirm France's role when he suggested that:

> "… France deliberately sought to keep both organisations at a distance and prevent NATO acquiring competences in the EU's specialisation field of civilian crisis management. […] Thus, the same principal can favour one agent over the other for national interest and organisational preference reasons, resulting in inefficiencies and tensions at the inter-organisational agent level." (2017:328)

[43] Interview N7.
[44] Interview N11.
[45] Interview N5.
[46] Interview N9 and N10.
[47] Interviews N6 and N7.
[48] Interview N6.

There is, however, another factor which has caused friction and created a degree of resentment within the EU. Juncos (2007 & 2010:87-98) has drawn attention to the way that the EU adopted a process of isomorphism in the building of its military dimension both in Brussels (modelling the EU Military Committee and the EU Military Staff on NATO) as well as in BiH with the establishment of Op ALTHEA (modelled on the NATO HQ in Sarajevo). The models were not necessarily the most efficient for the EU, but they had the stamp of legitimacy as they had worked for NATO in the past. Welch observed a similar effect in Kosovo, but he also highlighted a negative impact as well. Whilst IGO institutional isomorphism in Kosovo may have a legitimising effect the "… institutional survival mechanism creates domain similarity, which in turn leads to competition, rivalry and confusion." (2011:62)

The absence of a policy on SSR remains unresolved but a thaw in relations might come about following the 2016 EU-NATO Agreement.[49] This will be discussed further at the end of the next section, which turns to DCB, a new initiative from the 2014 Wales Summit.

Defence and Security Related Capacity Building Initiative (DCB)

The DCB initiative that was first mentioned in Chapter 1 was a definite step forward.[50] Launched at the Wales Summit in 2014 it was designed to project stability beyond the NATO's current territory through defence and security capacity building. (NATO 2014) Unlike most of the PfP programmes access to NATO support is entirely reliant upon Partners requesting support and then the suggested areas of assistance are tailored according to need and circumstance. At the end of 2015 there were four countries that had requested such support:

[49] Statement on the implementation of the Joint Declaration signed by the President of the European Council, the President of the European Commission, and the Secretary General of the North Atlantic Treaty Organization. Available at: https://www.nato.int/cps/en/natohq/official_texts_138829.htm?selectedLocale=en [Last accessed 23 August 2017].
[50] See section entitled: 'NATO and SSR'.

Georgia, Iraq, Jordan and Moldova. Whilst the support requested by Georgia and Moldova is mainly defence related, that for both Iraq and Jordan concerns both defence and broader security areas, so can undoubtedly be termed SSR. A key advance in NATO's approach, however, is the explicit statement that:

> "One of the key principles of NATO's DCB efforts is to avoid duplication and develop synergies with other actors."[51]

It is still early days for the initiative and it is still unclear how the support in the field is progressing, but the acceptance that NATO has this broader SSR remit and that both civilian and military staff have a role to play, is a breakthrough. The Alliance should be applauded for this move away from 'train and equip' towards supporting wider security and governance reform. Nonetheless, it is still far short of a holistic SSR policy framework that would provide a more coherent and understandable approach. Such an approach needs to be fully understood within NATO but also by other international actors outside the Alliance. Currently NATO is still delivering its support to SSR in a sub-optimal manner.

Although not officially linked in policy terms, there would seem to be a convergence between the DCB and the 2016 EU-NATO Agreement. The latter encourages cooperation between the two institutions and in the extract from the agreement below explicitly mentions many of the same countries that are covered by the DCB:

> "NATO and EU staffs will foster cooperation, including on the ground, on building partners' capacity and resilience, in particular, in the Western Balkans, the Eastern and Southern Neighbourhoods, including Georgia, Republic of Moldova, Ukraine, Jordan, Morocco and Tunisia." (*Op Cit*)

[51] NATO, *Defence and Security Related Capacity Building Initiative*, updated 27 June 2016. Available at: http://www.nato.int/cps/en/natohq/topics_132756.htm?selectedLocale=en [Last accessed 22 August 2016].

It is still too early to judge whether there is going to be improved cooperation with this form of capacity building, but it does beg the question about their combined approaches to governance and wider SSR issues. As the EU already has a framework for SSR, NATO will either need to adopt the EU approach in some form of mimetic convergence, or develop its own SSR framework. This leads onto the discussion in the next section on NATO as an adaptive institution.

NATO AS AN ADAPTIVE INSTITUTION

Thies suggests that NATO's history has been plagued by a so-called "alliance crisis syndrome" due to the literature's perception of an institution in permanent crisis, founded on what he believes to be: "… exaggerated claims based on unexplained premises and backed by superficial comparisons drawn from the history of the Alliance." (2009:2-3) Many scholars would seem now to agree with Thies' hypothesis and, as experience after the Cold War would appear to demonstrate, that NATO has proved itself to be a highly adaptive institution. (eg Pertusot 2011:14; Yost 2014:1-3; Johnson 2017:3)

Akin to all institutions, NATO has its own 'rules and rhetoric' and 'cultural norms' that are built up over time. NATO HQ Brussels is a reflection of this, with its own institutional paradigm complete with symbols, routines and rituals.[52] For example, during a field trip to Brussels the researcher observed that whilst committee meetings organised by the IMS always began on time, the meetings organised by the civilian IS always seemed to begin some ten to fifteen minutes late. Presumably this was a customary routine to draw a distinction between the two different staffs and new members would seem to be encouraged to conform to these ritualised norms. This paradigm can impart real strength to an institution, but it can also act as a barrier to change and then to 'strategic drift'.[53]

[52] For a classic organisational cultural web see: Johnson & Scholes (1993:60-63).
[53] There is an interesting aspect to this supposed homogeneity, as NATO HQ Brussels, for example, does not just house NATO staff (both military and civilian) but also the staff of member countries, PfP countries, and consultants. Nonetheless, the majority would seem to 'buy-in' to the core paradigm.

In the event NATO underwent a process of both exogenous and endogenous change in the post-Cold War period. An external event such as the ending of the Cold War brought into question the need for NATO's continuing existence and thus threatened the institution's survival. This 'critical juncture' then allowed institutional constraints and path dependency to be relaxed and enabled NATO to change from a threat-based institution to a risk managing institution. Such junctures do not necessarily involve wholesale change, but they can facilitate it. (Johnson 2017:2-4)

Similarly, internal change was needed in order to become a more operational HQ, whilst at the same time support significant reforms in the CEE, which led to enlargement of the institution. As Wallander and Keohane contend:

> "NATO is differentiated by extensive institutionalization and an extraordinarily high level of commitment on the part of its members, compared both to past alignments or alliances, and to other contemporary organisations such as OSCE and WEU." (2002:109)

A combination of the exogenous threat to its survival, NATO's own cultural paradigm, and that high level of institutionalisation, helped bring about endogenous change.

NATO's relationship with the EU has also undergone significant change. Koops (2012:155-156), for example, suggests that NATO has served as a model for the EU (both procedurally with the EU's approach to crisis management as well as institutionally with the development of the EUMS and EUMC), as an enabler (under the terms of the 'Berlin Plus' agreement in places like BiH) and as a competitor (which has reinforced each other's identity). These views are shared by Egger (2014:25). NATO is a classical IGO which is based on agreements and negotiation, leaving state sovereignty untouched, whilst the EU has legal powers and wide-ranging arrangements for pooling of sovereignty and qualified majority voting in many areas. (Schimmelfennig 2003:87) A senior member of

NATO's IS suggested that NATO is able to transform in a way that the EU cannot for broadly institutional reasons. Although the EU has law-making powers, it has a structure that is more rigid than NATO. He noted the irony that whilst NATO was in some ways a weaker IGO as everything had to be agreed by all the nations, in other ways it was more flexible and thus much stronger. The NATO Secretary General had more power than his counterparts in the EU and both he and the NATO IS have proved themselves to be adept at moulding and persuading the nations of particular courses of action. Politics and negotiation, he argued, were the drivers not the rules and regulations.[54]

The final issue to be discussed in this section is the conundrum of why adopting an SSR framework and policy was not welcomed by NATO as a common sense policy response to one of the main challenges of insecurity, that of poor governance within security institutions in partner countries. The researcher has been unable to establish the reason to his complete satisfaction, although he has a theory. There are three points to make. First, the idea was of course initially welcomed and as the previous section outlined much progress had been made. Second, when the idea of an SSR policy was effectively dropped, the role and institutional perspective of France was quite clear. What has been less clear in subsequent years is why the obstacle still appears to be in place. The EU's security and defence infrastructure has firmly established itself (Egger 2014:25-26) and, as far as the researcher can ascertain, there is little evidence that France has been exercising any form of veto. There is much discussion about the role of SSR in assisting countries with their reform, not least in the new DCB initiative. The NATO Deputy Secretary General is content to use the term, as the quote at the start of Chapter 1 of this thesis demonstrates. What seems apparent from two interviews at HQ NATO,[55] however, is that NATO staff are reluctant to use any further political capital on a project that has already been rebuffed once, when they believe that they can manage tolerably well without such a policy.[56] Third, there does seem to be an institutional and

[54] Interview N13.
[55] Interviews N6 and N9.
[56] Interview N7.

cultural stasis whereby if something has been attempted and failed then it is avoided in the future. Given this degree of path dependency, it would seem that a new critical juncture would be required for such reluctance to be overcome. The 2016 NATO-EU agreement might provide that impetus. Ultimately, NATO's approach to SSR seems to have been driven by a combination of the impact of one nation's views in a consensus-based institution and the internal power of one or two influential actors within the IS.

SUMMARY

Notwithstanding the Cassandra-like predictions of NATO's imminent demise over the years from both the media and the theorists of the realist tradition, NATO has proved itself to be a resilient and adaptive institution. It has survived longer than any previous such treaty and is still regarded as the world's leading security Alliance. It is, however, much more than that. Its assistance to countries' defence and security sector reform in recent years, as well is its survivability, have increased its appeal. Nonetheless, there are still significant challenges facing the Alliance both now and in the future.

This Chapter has presented an overview of NATO's evolution from its formation, through the Cold War to the operations that it is currently conducting around the world. A number of these operations have evolved into some form of security cooperation and, in many cases, support to SSR. The current difficulty for both NATO and partners, however, is that nobody quite knows what assistance is on offer, or how much commitment to democratic norms is required from the partner. Is it a governance agenda as the SSR-relevant IGOs would suggest and the majority of the PfP programmes would support, or is it merely an extension of operational partnerships – in effect 'train and equip'? The lack of an SSR framework or policy is evident.

NATO's experience of supporting reforms in CEE has mainly been directed through PfP. The 1994 *PfP Framework Document* (NATO 1994) and the 1995

Study on NATO Enlargement (NATO 1995) were the source documents and contained tools and programmes, which have been added to over the years. These have been highly influential in setting democratic norms of behaviour and structure for partners to meet, as well as the explicit political conditionality that is on offer through membership of the Alliance.

Several SSR-relevant IGOs were drawing up SSR frameworks and policies in the mid-2000s and NATO began to do the same. A draft policy was produced, and a small mixed civilian-military team was set up at JFC Naples to coordinate NATO's SSR activities for the Western Balkans. After opposition from France, which sought to keep NATO separate from those areas which it perceived were within the EU's competence, the draft policy was quietly dropped in 2006 and has never been resurrected. The only small sign of progress, however, was the launching of the DCB initiative in 2014, which seeks to offer defence and security capacity building to those who request it.

The final section of this Chapter viewed NATO's evolution through an institutional lens in an attempt to understand why adopting an SSR framework was not welcomed as a common sense policy response to the challenge of insecurity in partner countries. There is no clear elucidation, although a degree of institutional stasis might be a partial answer, which could require a 'critical juncture' as a change agent to fill the current lacuna. What is clear, however, is that NATO has proved itself to be a highly institutionalised and adaptive actor on the world stage, with considerable normative and mimetic appeal.

At the heart of this appeal are the shared and common values espoused in the Preamble to the Washington Treaty, quoted at the beginning of this Chapter. These helped create the NATO Alliance in 1949 and are the glue that has sustained it through many challenges since. Although existential threats may now be less than during the Cold War, there are many other risks and instabilities that still need to be addressed. These include the democratic deficit within authoritarian states and the political corruption of the rule of law both

within and at the boundaries of the Euro-Atlantic area. A clear SSR framework and policy would assist NATO in managing and reducing those risks. In the meantime, there are still lessons to be identified from reforms of the security sector in the Western Balkans, which could be applied in other Partner countries.

The next Chapter presents the case study on BiH.

CHAPTER 5

CASE STUDY - BOSNIA-HERZEGOVINA (BiH)

> "Every human generation has its own illusions with regard to civilization; some believe they are taking part in its upsurge, others that they are witnesses of its extinction. In fact, it always both flames up and smoulders and is extinguished, according to the place and the angle of view."
>
> Bridge on the Drina (*Na Drini ćuprija*) - Ivo Andrić[1]

INTRODUCTION

Chapter 1 provided a broad historical canvas for the Western Balkans and set the scene for the seemingly inevitable conflict in BiH during the early 1990s. The war began in April 1992 and lasted until October 1995, when a ceasefire was successfully brokered by US Envoy Richard Holbrooke. The purpose of this Chapter is to provide knowledge and understanding of these events and how they have subsequently influenced NATO's support to SSR in the country. By the very nature of NATO's existence as an IGO the focus will tend to be at the state level, as that is its point of entry for its support.

Following the format recommended by Stake (1995:122-125), the Chapter is broken down into the six sections. First, there is a brief introduction. Second, an historical and broadly chronological background of BiH from 1991 to 2015 is presented that provides a narrative description, as well as some analysis, in order to define the context of the country. Third, an analysis is conducted of the current political and security situation in BiH that draws upon all available data, including primary research, and seeks to provide the more detailed context for reform of the security sector. Fourth, a detailed exposition and analysis of NATO's role in the reform process in BiH is carried out, which also takes into

[1] Andrić (1994).

account the interaction with other stakeholders. The analysis draws heavily upon primary research material. Some key issues are developed, not so much for generalizing beyond the individual case, as for understanding the complexities and meanings inherent in it. Fifth, the findings and understanding about the case are presented thematically in this section, which then allows the knowledge of the phenomenon to be considered more broadly in a comparative analysis of the cross-data collected from the two case studies in Chapter 7. Finally, there is a concluding summary of the BiH case study.

HISTORICAL BACKGROUND

> "Bosnia cannot be understood except in its precise historical context."
>
> Richard Holbrooke (2005)[2]

The Country, Peoples and Neighbours

BiH has always been a *mélange* of peoples, religions and culture. In many ways that has been its charm. The confluence of Islam, Orthodox and Catholic religions, as well as its colourful history and mountainous countryside, has been both a blessing and a curse. Furthermore, its history has been a Janus-like struggle between facing either east or west towards two powerful neighbours. All the while Croatia, Serbia and BiH belonged to the same political entity, be it within the Ottoman Empire, the Austro-Hungarian Empire or Yugoslavia, then BiH could face both ways. As soon as Croatia or Serbia stopped cooperating or were being pulled apart, BiH became vulnerable to the expansionist tendencies of these neighbours. (See Map 5.1 below.)

[2] Taken from Holbrooke's foreword to Chollet (2005:xv).

Map 5.1: BiH (1995-2015)

(Source: Wikimedia. Available at: https://upload.wikimedia.org/wikipedia/commons/7/7a/Bk-map.png [Last accessed 19 August 2016].)

The diverse nature of BiH's constituent people is reflected in its 1991 census. This showed[3] that the country comprised: 43.5% Bosniaks (Bosnian Muslims), 31.2% Bosnian Serbs (Orthodox Christians), 17.4% Bosnian Croats (Roman Catholic). These three ethnic[4] groups formed the rump of the population and the main protagonists in the conflict that was to follow. In addition, the census itemised 5.5% 'Yugoslavs' (with their origins from other parts of the SFRY) and 2.4% 'Others' (comprising seventeen other groups).

Precursor to War: 1991-1992

As outlined in Chapter 1, both Slovenia and Croatia declared independence in 1991. This left BiH in a precarious position. By July 1991 there was evidence that the Serbian authorities were making secret deliveries of arms to the Bosnian Serbs. (Malcolm 2002:225) The Serb-dominated JNA was already

[3] Figures taken from: Council of Europe, 'Report Submitted by Bosnia and Herzegovina', ACFC/SR (2004) 001, dated 20 February 2004. Available at: http://www.coe.int/t/dghl/monitoring/minorities/3_fcnmdocs/PDF_1st_SR_BiH_en.pdf [Last Accessed 4 December 2014].

[4] As Maxwell and Olsen (2013:13) point out, within the Western Balkans there is a regional shorthand, whereby religion and ethnicity are conflated.

heavily involved in military operations in both Slovenia and Croatia, but, at the same time, it had begun preparations to expand the conflict into the territory of BiH. Troops were moved from Montenegro and Serbia into the Northern part of BiH and by the end of the year Bosnian Serb reservists had been mobilised. Many of these reservists were then officially 'demobilised' and placed under the command of the Bosnian Serb, General Ratko Mladić, as local autonomous forces. (Silber & Little 1997:215-218; Malcolm 2002:227-230; Pond 2006:19)

In October 1991 the BiH Parliament debated whether it should declare itself 'sovereign'. It was an acrimonious and emotionally charged debate that ended when the Bosnian Serb leader, Karadžic, led his deputies out of the assembly building and subsequently set up a breakaway Serb National Assembly in Banja Luka. The remaining SDA and HDZ deputies voted for the motion and in April 1992 the European Community recognised BiH as an independent state. (Malcolm 2002:228-234; Judah 2009:198-199) Karadžic had warned that independence would lead to war and during the period of October 1991 through to March 1992 he set about making his prediction a reality (Crampton 2002:255): first by stepping up military actions and second by declaring a Serb Republic or 'Republika Srpska' (RS) in the vernacular. (Malcolm 2002:232) The scene was thus set for the chaotic and internecine struggle for the territory and soul of BiH.

War: 1992-1995

Large scale fighting was fully underway in BiH by April 1992 and by the summer Bosnian Serb forces controlled over 70% of BiH territory. The territorial conquests ebbed and flowed for another two years but remained broadly of that magnitude. Interestingly the protagonists varied from place to place. Initially the Bosniaks and Bosnian Croats were on one side and the Bosnian Serbs on the other. At a later stage in 1993 Bosnian Croats were fighting alongside Bosniaks in Sarajevo and against each other in Mostar.[5] To complicate matters

[5] The main protagonists were as follows: the Bosnian Serbs, the Army of Republika Srpska (*Vojska Republike Sprska* or VRS), the Bosnian Croats, the Croatian Defence Council

still further, many of the combatants were not conventional soldiers but irregular forces.[6] The latter were more motivated by the opportunities to kill and enrich themselves rather than following an ethno-nationalist narrative.[7] This complex and rather confusing mosaic of forces and alliances gradually became better organised from 1993 onwards. The US brokered a deal in March 1994[8] between the Bosniaks and the Bosnian Croats that allowed them to coordinate their military efforts and focus their combined attention on defeating the Bosnian Serb forces. (Maxwell & Olsen 2013:14-15; Owen 1996:383-384)

The reasoning behind the conflict eluded many in the international community at this time but, for the Bosnian Serbs, it was relatively straight forward. Independence of BiH was unacceptable as it would have meant they would be in a minority in a country dominated by a Bosniak-Croat majority. The war in BiH was thus both a territorial and an ethno-nationalist conflict. As Glenny (1999:644) explains:

> "The Bosnian Serb war aim was to establish control over a great arc of contiguous territory linking up the Northern Serb rural areas. Although the Serbs made up only a third of Bosnia's population, they sought to grab 70 per cent of the republic's territory."

This would then allow a land corridor of Serbs along the line of the River Sava to bridge the Krajina in Croatia across Northern BiH to Serbia proper.[9] The obvious difficulty in this aim was that it meant removing (or 'cleansing') indigenous Bosniak and Bosnian Croat populations from their traditional

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(*Hrvarsko Vijece Obrane* or HVO) and Bosniaks, the Army of the Republic of Bosnia and Herzegovina (*Armija Republike Bosne i Hercegovine* or ARBiH). After the signing of the 1994 Washington Treaty (see footnote 9 below) the Bosniak and Bosnian Croat forces fought under the umbrella of the Army of the Federation of BiH (*Vojska Federacije BiH* or VF).

[6] A more detailed treatment of these different combatants is provided in the Final Report of the Commission of Experts, Annex III, Para 110-124. (UN 1994).

[7] Crampton (2002:259) suggests that these groups were not bound by any conventional codes of behaviour or "...by evolved local habits of ethnic tolerance."

[8] The Washington Treaty of March 1994 led to the creation of a Bosniak-Bosnian Croat political entity titled the Federation of Bosnia and Herzegovina (FBiH) that mirrored the Bosnian Serb entity, the Republika Srpska (RS), with both featuring in the post-Dayton settlement.

[9] This was often referred to as 'Greater Serbia'. See: Malcolm (2002:229).

homelands, which could only be prosecuted by force. The term 'ethnic cleansing' gained currency during the 1991 conflict in Croatia[10] but achieved international prominence during the war in BiH. Initially the flight of terrorized civilians from certain area was assumed by many in the international community to be a result of the fighting. Malcolm (2002:246) disabuses us of this notion, however, and argues that:

> "... ethnic cleansing was not a by-product of the war. It was a central part of the entire political project which the war was intended to achieve, namely the creation of homogeneous Serb areas, which could eventually be joined to other Serb areas, including to Serbia itself, to create a greater Serbian state."

Whilst the Serbs undoubtedly began the process, there were efforts by all the protagonists at various stages to establish cleansed areas. (Pond 2006:20) The conflict in BiH was thus of unimaginable brutality and destructiveness.[11] Keohane describes the situation in BiH as a classic Hobbesian dilemma that "… encapsulates the existential tragedy that results when human institutions collapse and people expect the worst from each other." (2002:64) During this period the international community made six major attempts to bring the fighting to a halt, including the European Carrington-Cutilero peace plan, the Vance-Owen peace plan and the contact group plan.[12] Time precludes a detailed discussion of them all, although the 1993 Vance-Owen peace plan[13] seemed to characterise most of the mistakes in all of the plans. Whilst superficially the plan to create ten ethnically homogeneous cantons appeared logical, in reality it fomented ethnic cleansing, especially in the sensitive area around Vitez, where

[10] Donald Forbes, a Reuters reporter in Belgrade, first used the term when he stated that: "The aim of this expulsion is obviously the ethnic cleansing of the critical areas . . . to be annexed to Serbia." Available at: http://www.nytimes.com/1993/03/14/magazine/on-language-ethnic-cleansing.html. [Last accessed 28 January 2016.]
[11] This legacy had a direct bearing on NATO's attempts to support SSR in a supposedly unitary state after the war.
[12] For a full treatment of these plans see: Silber & Little (1997).
[13] This involved a loose confederation of ten ethnic cantons with the intention of attempting to prevent state fracture.

the Bosnian Croats attempted to cleanse the proposed 10th canton of Bosniaks and thus achieve a demographic majority.[14]

Initially the UNHCR had been operating on its own in both Croatia and BiH but by early 1992 it was clear that some form of military presence was required. Although there was no peace agreement between the protagonists and very little peace to keep, UNPROFOR was created and took on the task of delivering humanitarian relief to civilians in BiH under a limited peacekeeping mandate.[15] The US policy at this time, however, was to keep the crisis at arms-length but, as Kaplan (2004:117) comments, notwithstanding their initial reluctance "... [g]radually and unwillingly the United States [...and by extension NATO...] found itself drawn into the Balkan conflict." From 1992 NATO began to enforce a no-fly-zone, although it was not until 28 February 1994 that NATO (in fact US) aircraft shot down four Bosnian Serb aircraft. (Yost 2014:127) Attitudes against the Bosnian Serbs began to harden over this time, particularly in Washington, as Serb forces began to take UNPROFOR troops hostage[16] and after one particularly nasty mortar attack in February 1994 on the Merkale market in Sarajevo that killed sixty-nine civilians. (Smith 2006:343; Judah 2009:215-216)[17]

Increasingly during the period 1994-1995 the UN drew upon NATO's air power to coerce and condition Bosnian Serb actions, albeit not always successfully, as the hostage taking of UN peacekeepers clearly demonstrated. A combination of events in 1995 focused the international communities' attention on a concerted attempt to resolve the conflict in BiH. These events included the realisation

[14] This view has been echoed in a number of informal conversations with Dr Bryan Watters, who was the second in command of the first UK army battalion group to be deployed to BiH in support of UNHCR operations in 1992-3. Further details are also contained in his excellent 'Bosnian Leadership Case Study'. Copy held by researcher.
[15] For a full version of UNSCR 743(1992), see: http://www.nato.int/ifor/un/u920221a.htm [Last accessed 10 February 2016].
[16] Time precludes a detailed treatment of the travails of the UN hostage taking by the Bosnian Serb forces. For some background see Smith (2006:342-345, 356-357, 363, and 367-368).
[17] Unlike the mortar attack on the Merkale Market in August 1995, the attack in 1994 could not definitively be laid at the feet of the Bosnian Serbs. Judah (2009:216-217 and footnote 4:383) raises doubts about the originators of the attack.

that the authority of the UN was on the verge of collapse,[18] the genocide at the 'UN Safe Area' of Srebrenica in July 1995, and the second mortar attack on the Merkale Market in Sarajevo in August 1995.[19] (Crampton 2002:264-267) The subsequent bombing campaign by NATO against the Serbs in August and September 1995 forced the Serbs to withdraw from Sarajevo and eventually brought everybody back to the negotiating table. The success of NATO's approach was to have a direct bearing on local attitudes to the Alliance as it began the SSR process after the war.

There was one other sequence of events in the Balkans that had a significant impact on Serbian attitudes and willingness to negotiate. In the early hours of 4 August 1995 Croatian forces attacked Serbian Krajina as part of a well-coordinated offensive called Operation Storm. Within days Serbian resistance in both Croatia and western BiH had collapsed and some 150,000 Serbs had fled from their homes towards Banja Luka in the RS. To compound matters for the Serbian leadership, Bosniak forces had broken out of the Bihać pocket and by late September the Serbs controlled roughly half the territory of BiH, rather than the 70% of two months earlier.

It was at this stage that international, and in particular US pressure, forced a ceasefire on the ground. By then the myth of Serbian military invincibility had been destroyed, along with the morale of their forces. (Silber & Little 1997:357-361; Crampton 2002:266) This was then the backdrop for intense diplomatic and military pressure on all sides to stop the fighting, which eventually led to the 'peace talks' at Dayton.

The Dayton Peace Accords (DPA)

The arrival of the Presidents of Croatia, Serbia and BiH at a small and rather remote US air force base in Dayton, Ohio, on 1 November 1995 was the start of

[18] Ashdown (2007:32) wrote, somewhat dismissively, that UNPROFOR was "... being treated as a standing joke by all sides."
[19] This particular mortar attack was laid firmly at the feet of the Bosnian Serb forces.

a brutal set of negotiations that seemed to include sleep deprivation as part of its plan to conclude a deal. To arrive at this point of departure, however, required some serious arm-twisting on the part of the US administration and a clear desire by the international community to capitalise on the reverses suffered by the Serbian and Bosnian Serb forces in the previous two months. The experienced and robust US diplomat, Richard Holbrook, led the talks with co-chairs from Europe and Russia. At the end of three weeks, a compromise was reached and the General Framework for Agreement for Peace (GFAP) in BiH was initialled at Dayton on 21 November and then formally signed in Paris on 14 December 1995.[20] (Kaufmann 2002:124-125; Malcolm 2002:267-269; Maxwell & Olsen 2013:20-21) The GFAP or, as it is more commonly called, the DPA, successfully brought the fighting to a close, but, as Holbrook wryly observes:

> "... few negotiators will have the added leverage that comes with bombing one of the parties, and not all negotiators will be able to lock up the leaders of the contending sides on an American military base." [21]

The territorial division agreed by the parties at Dayton was 49% to the RS and 51% to the FBiH[22] with Brčko District (claimed by both main parties) as an autonomous district and subject to further arbitration.[23] The formal agreement comprised a main chapeau,[24] a military annex (Annex 1-A)[25] and a raft of subordinate annexes that ranged from the setting up of a civilian presence (the

[20] A copy of the GFAP/DPA is available on the OHR website. OHR, *GFAP*. Available at: http://www.ohr.int/?page_id=1252&lang=en [Last accessed 22 December 2015].
[21] A quote taken from Holbrooke's foreword to Chollet (2005:xv).
[22] This figure was very similar to that proposed in the Owen-Stoltenberg proposal in November-December 1993. (Malcolm 2002:254)
[23] During the last two years of the conflict international diplomats had been discussing a territorial division of this nature and a combination of the success of Operation Storm and US intervention left the warring parties occupying territory at roughly that split. (Judah 2009:302-303)
[24] The term 'chapeau' is used in diplomatic circles to describe an overarching cover with the real detail in attached annexes.
[25] Which allowed for the separation of the parties as well as the setting up of the NATO military presence called the Implementation Force (IFOR). See: OHR, *Annex 1-A*. Available at: http://www.ohr.int/?page_id=63245&lang=en [Last accessed 22 January 2016].

Office of the High Representative [OHR])[26] to a new constitution for BiH.[27] It was the latter annex that prescribed the complex electoral system with the breakdown of state and entity relationships.[28] The thrust of the DPA was to create a highly decentralised country that was described as being one state, two entities and three constituent people.[29] As Maxwell and Olsen (2013:21-23) explain:

> "... the state of BiH possessed a limited range of competences and was severely constrained in the execution of these by a system of government designed to allow each of the three groups – 'constituent peoples' – and the two entities to block any development that they perceived to be contrary to their interests. The presidency of BiH comprised three persons, one for each constituent people, and was required to function on the basis of consensus. State-level ministries contained similar checks and balances, as did the two houses of the Parliamentary Assembly and the various parliamentary committees. The state-level executive body, Council of Ministers was less a government and more an uneasy shifting set of coalitions. A similar dynamic existed between Bosniaks and Croats within the FBiH."

The result was a weak unitary state with limited competences[30] and strong entities, which, *inter alia*, retained their own armies. The RS's VRS and the Federation's VF were large conscript armies, and although the VF was nominally one army, it had two separate chains of command that were largely based on the former Bosniak and Bosnian Croat structures.

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[26] There has been much debate over the so-called 'Bonn Powers', which allowed the High Rep to remove personnel from office who did not comply with the provisions of the DPA and also the imposition of legislation needed to enforce the provisions of the agreement. These were not in the original document but were included in 1997 by the PIC. See: OHR, *PIC Bonn Conclusions*, dated 12 October 1997. Available at: http://www.ohr.int/?p=54137&lang=en#11 [Last accessed 22 January 2016].

[27] See: OHR, *Annex 4, GFAP*. Available at: http://www.ohr.int/?page_id=63255&lang=en [Last accessed 22 January 2016].

[28] By including the RS as an entity, the negotiators formally sanctioned a "statelet" that had been set up "... in order to break up Bosnia and unite it with Serbia." (Gallagher 2005:133) It was a contradiction that continues to pose difficulties for the state of BiH today.

[29] This formulation of words has been used within BiH for a number of years but here are some recent examples: an OHR paper entitled 'The International Community (IC) approach to BiH' and dated 13 May 2013 (copy held by researcher); van Willigen (2013); Weller & Wolff(2013).

[30] Woodward (1996:175) makes the excellent point that by creating such a weak state with few central functions, there was little to bind the loyalty of its citizens to that state.

NATO was given responsibility for providing the 'military presence' in the form of the 'Implementation Force' (IFOR) to oversee implementation of the military aspects of the agreement.[31] The OHR was the 'civilian presence' with responsibility for overseeing the implementation of civilian aspects of the agreement.[32] The overall DPA package was then underwritten by a collection of countries and organisations, known as the Peace Implementation Council (PIC).[33]

THE CURRENT POLITICAL AND SECURITY ENVIRONMENT WITHIN BiH

It is important to have a feel for events during the war in BiH and its resultant legacy, as this continues to shape the political and security environment today. (Maxwell & Olsen 2013:13) The war has left BiH a deeply divided society. Not only are the scars of the war still fresh, but the battles continue. This may not be with rifles and tanks as it was in 1992-1995, but it is still being waged by politicians as they seek to maintain the rights and privileges for their constituent people that were enshrined in the DPA, and very often using rather dubious methods to do so. In modifying the Clausewitzian quotation, US analysts Hitcher and Joseph recently described BiH's politics as "... a continuation of war by corrupt means."[34]

Further to the discussion above on the DPA, it is now something of a cliché that the agreement was helpful in stopping the fighting but had severe limitations in building peace.[35] Scholars like Weller and Wolff (2006:2-3) argue that peace

[31] With just a one year mandate that eventually morphed into the 'Stabilisation Force' (SFOR). For details of mandate see: OHR, *Annex 1-A*. Available at: http://www.ohr.int/?page_id=63245&lang=en [Last accessed 22 January 2016].
[32] Details of the High Representative's mandate see Annex 10 of the GFAP at: http://www.nato.int/ifor/gfa/gfa-an10.htm. [Last accessed 14 December 2015]
[33] Recent press releases, speeches and decisions of the PIC Steering Board can be found on a page of the website of the Office of the High Representative (OHR). See: http://www.ohr.int/?cat=244&lang=en. [Last accessed 15 August 2015.]
[34] Balkan Insight, *How To End The War In Bosnia*, dated 12 February 2013. Available at: http://edwardpjoseph.com/2013/04/08/balkan-insight-how-to-end-the-war-in-bosnia/
[35] For example, see: Interviews BH10 and BH18, and Ashdown (2007:99-100). A senior OHR official (BH19) was the lone voice amongst the interviewees in BiH, who argued that it was not

agreements like Dayton are normally only successful when either one party has achieved a decisive victory or both parties have fought themselves to a standstill and are ready for a settlement. Neither case pertained in November 1995, so the DPA had the effect of freezing the conflict in time and, to make matters worse, would seem to have rewarded those politicians and their political parties who started the war, especially in the RS.[36] This idea will be returned to later in this chapter.

The problems of statebuilding and governance still resonate today. Carl Bildt, the former Swedish Prime Minister, was the European co-chair for the talks at Dayton. He raised specific concerns about the weakness of the state institutions being created but his major criticism of the DPA was that it was too concerned with military issues and neglected civilian governance. (Pond 2006:32) Whether this was his view at the time, or with the benefit of hindsight of being the first High Representative in Sarajevo, is difficult to judge. Nonetheless, many interviewees for this research indicated that the entrenched ethnicity in the constitution has not just made BiH a weak state it has also made it completely dysfunctional.[37] It is a view widely-held by scholars and politicians alike,[38] but Lord Ashdown's comments at LSE in 2006 make the most telling case:

> "It is plain to all that Bosnia and Herzegovina must now reform the Dayton Constitution which, though essential to the first phase of its journey from war – the stabilisation phase, is now clearly an impediment to the second phase – the phase of building a state. It is manifest nonsense to pretend that you can join Europe, with thirteen Prime Ministers and thirteen full scale governments for a nation of only 3.5 million people. It is also nonsense to claim that you can win the loyalty of your citizens while spending 70% percent of those hard pressed citizens taxes, just on government and only 30% on citizen's services, such as

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the DPA, *per se*, that was the problem but the lack of political will of the politicians to make BiH a success.

[36] For example, see interviews BH8 BH18.

[37] For example, interviews: BH8; BH10; BH17; BH18; BH21-N.

[38] For example, see: Gallagher 2005: 132-133; Bieber 2006:49; Richmond & Franks 2009:17-18.

health, education, pensions and welfare." (Ashdown 2006)[39]

Turning to the constituent people, Bieber (2006:2) suggested that in the mid-2000s: "A majority of Serbs and a strong minority of Croats prefer succession from Bosnia, whereas an overwhelming majority of Bosniaks support the continued existence of Bosnia." This has changed slightly in the past ten years but not by much. Even in 2015 it still translates into a fundamentally different approach to state institutions from most states. In general FBiH politicians and bureaucrats support state institutions, whilst those from the RS do all in their power to weaken those institutions and undermine them.[40] It would therefore be fair to suggest that BiH is a state in name only. There is little in the way of national identity, a common culture, or a shared understanding of history. A desire by politicians on all sides to retain the benefits of power seems to be one of the few shared 'discursive formations' as defined by Foucault.[41]

The success of NATO in enforcing the DPA[42] has meant that the security situation is relatively stable, although it should not be taken for granted. For example, Zaalberg (2014:88) states that: "The former warring parties overtly complied with the military part of the peace agreement, but those who opposed the agreement's political implications shifted their subversive, and sometimes insurgent-type efforts, into the civilian sphere in 1996." This view is echoed by

[39] The grammar and punctuation is a little eccentric in this extract but accurately reflects what was written. Copy of speech held by researcher.
[40] A Belgrade scholar, Sonja Biserko (2011), has contributed an interesting article to this debate where she highlights the reasoning behind the Serbian elite's resistance to the DPA. In essence she argues that they believe that Milosevic had to accept the peace plan in order to prevent the total defeat of the RS but they were confident that elements of the plan would ensure that BiH could never be a functioning state. Empirical evidence would seem to suggest that she has a point.
[41] See Peci et al (2009) for a discussion on the subject of power and discursive practices. One counter view to that offered in this paragraph is adduced by Herović & Veil (2015), who claim that the success of the BiH men's national football team in reaching the 2014 World Cup allowed, for a short time at least, a cohesive national identity through the unifying discourse of sport. Whether it is something that could be built upon in the future is entirely another matter.
[42] Several interviewees stressed the point that NATO's presence was absolutely crucial to the implementation of the DPA. For example, Professor Vlado Azinović (BH22) claimed that "NATO was the key tool [...for implementation...] at the time." For other interviews see: BH6; BH12; and BH23.

OHR official Peter Appleby, who said: "I always describe this place as it is now, it's 'transigence inverted', it's the prosecution of war by political means." [43]

Bodo Weber, an analyst with the DPC-Atlantic Initiative, supports these assertions and makes the case that even 20 years after cessation of the fighting, recent political rhetoric continues to inflame and polarise public opinion. The discourse revolves around nationalist themes and threats to ethnic communities and "... the topic of 'war' has returned to popular discussion." (2015:1) Whilst some might find his views unduly apocalyptic, there is still a potential for instability and insecurity that is created for political gain. As Kaldor (2012:83) comments rather pointedly:

> "In a situation where there is little to choose between the parties, where there has been no history of political debate, where the new politicians are hardly known, nationalism becomes a mechanism for political differentiation. In societies where people assume that they are expected to vote in certain ways, where they are not habituated to political choice and may be wary of taking it for granted, voting along national lines became the most obvious option."

This certainly seems to fit the situation in BiH with a civil society that appears unengaged in public life and content to allow corruption to flourish in a routine manner. As analyst Dr Denis Hadžović points out, the people "... are not asking any accountability of politicians."[44] Many interviewees for this research used different words to echo similar sentiments, such as: "... the main obstacles for Bosnia are politicians"[45], or "My opinion is that everybody's corrupted literally from top to bottom because our Presidents choose their [...] officials who choose their officials who [...] choose their assistants etc, etc, and everybody is choosing from their side. It doesn't matter, brother, sister, cousin, friend, party member and they are keeping it like a family business."[46] On arrival in BiH in 2002, Lord Ashdown (2006:222) clearly empathised with this view, when he

[43] Interview BH8.
[44] Interview BH3.
[45] Interview BH2.
[46] Interview BH10.

opined that the country was "... very close to the status of a criminally captured state." More recently, Rohan Maxwell, NATO's Senior Political-Military Adviser in Sarajevo[47] neatly summarised this feeling when he stated:

> "You know there are some very frustrated people out there because the assumption is that the leadership of any rational country would want to help the country get better, but this is not that kind of place. There's no incentive for the leadership here, generally speaking, to bring your country into a framework in which things are more strictly regulated, where corruption is more difficult to get away with."

This is therefore the political and security environment where NATO has been attempting to assist BiH in its reform of the security sector for the past 20 years. As the next section will show there has been considerable success but only when the political will and the context has allowed.

NATO SUPPORT TO SECURITY SECTOR REFORM WITHIN BIH

The aim of this section is to analyse the support that NATO provided to the security sector within BiH.

Early Days: 1995-2002

Although the DPA gave IFOR full authority and control over all military activities in BiH,[48] the drafters of the document had given little thought to the building of a new state, and in particular the creation of a homogeneous, state-level security sector.[49] NATO was also hindered initially by the US Weinberger-Powell

[47] Interview BH7-N.
[48] The 'military activities' are contained in Annex 1-A, GFAP. It is worth noting that OSCE had the lead on Annex 1-B of the GFAP, a complementary document to Annex 1-A, entitled: 'Agreement on Regional Stabilization'. Under this mandate the OSCE was required to assist the five parties to the DPA (BiH and its two entities, the Republic of Croatia, and the Federal Republic of Yugoslavia) in negotiating and implementing various arms control agreements.
[49] Although this comment is intentionally critical, it should be remembered that peace agreements are always going to be subject to compromise in order to reach agreement on those issues that can be agreed given the temporal and situational context of the day. Inevitably there will be weaknesses and ambiguities but perhaps the DPA could have been

doctrine that expressly opposed the US military, and thus by extension NATO, engaging in statebuilding activities. (Zaalberg 2014:88-89) [50] Thus during the first two years of IFOR, and its successor organisation, SFOR[51], NATO troops focussed almost exclusively on dealing with military issues contained in Annex 1-A of the DPA and ignored the need for an overarching political and governance security framework.[52] This was confirmed by Sarajevo University Researcher, Dr Damir Kapidžić:

> "During the initial phase, up till let's say 2000 or so, the main aim of the reforms was guaranteeing security and freedom of movement So those two things had priority over everything else."

Despite these constraints, by 1997 SFOR did gradually become engaged in broader reconstruction activities. For example, NATO troops assisted in the reconstruction of roads, bridges and railways in order to improve the travel network that had been severely disrupted during the conflict. In addition SFOR facilitated a project called the Telecommunications Emergency Reconstruction Programme (TERP), which was financed by the European Commission. The local telecommunications networks in Bosnia were in large part destroyed during the war. Whilst the Federation began to recover relatively quickly (85% recovered as at March 1997), progress in the RS was much slower (20% by the same date).[53] The political, economic and civilian infrastructure development of Bosnia was largely dependent on a country-wide integrated telecommunications network, so the Communication Branch of SFOR assisted the local telecommunication companies in designing their new networks. Brigadier Gordon Hughes was the

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better than it was. Some further discussion on such agreements will take place in the following two case studies, as well as the Comparative Study at Chapter 7.

[50] The prevailing view in the US at the time was that the military role was to stop the fighting and then provide a measure of security which would enable the civilian statebuilding effort to take place. There was a very strong perception that policing and support to the civilian reconstruction was 'mission creep' and should be resisted.

[51] The NATO-led Implementation Force (IFOR) was given a one year mandate in the DPA (and UNSCR 1031) and NATO subsequently agreed to launch a follow-on mission, Stabilisation Force (SFOR) from December 1996 under the authority of UNSCR 1088. The mandate of the former was to implement the peace, whilst the latter was to stabilise the peace. For more details see: NATO (2003).

[52] Interview BH5-N.

[53] E-Mail from Brigadier Gordon Hughes dated 14 March 2016. Copy held by researcher.

Commander of NATO Communications at the time and he offered this explanation for NATO's assistance:

> "[I]n undertaking these civilian reconstruction projects we were to some extent helping to stabilise the country, to build confidence and to set conditions for the political dialogue to move forward, which of course in terms of Security Sector Reform, [...] one of the most crucial dimensions is the political dimension, but the political dimension can't be progressed unless the conditions on the ground are sufficient to make people feel confident that they can lead to dialogue and they can try and make progress."[54]

Although the concept of SSR was still in its infancy at this time, SFOR adhered to one of the basic tenets of SSR by focusing on 'human security' not just state security. It patrolled the streets, helped oversee refugee returns and assisted in freedom of movement.[55] Hughes argued that all these activities were contributing to and setting the context for the early stages of SSR and the eventual development of concrete SSR programmes.[56]

It is the consensus of both scholars and those interviewed for this research, that NATO proved to be highly successful in performing its 'primary tasks' during these early years, from separating the parties, securing heavy weapons in cantonments, and de-militarising the Inter-Ethnic Boundary Line (IEBL). [57] [58] For example, Perdan (2006) particularly praised NATO's role in reducing the availability of arms post-Dayton, as well as collecting arms from the local population through a voluntary surrender process known as Operation

[54] Interview BH25.
[55] A task allocated to NATO in Annex 1-A of the DPA.
[56] Interview BH25.
[57] For example, see: Kaldor (2012:197-198) and Kaufman (2002:144-145); Interviews BH9, BH12, and BH22; and NATO (2003).
[58] The IEBL is a 1,400km line that separated the Federation and the RS. Originally it had a 4 km wide de-militarised zone (2 km either side), although the line can now only be distinguished by signposts, which are in Cyrillic in the RS and Latin script in the Federation.

HARVEST.[59] Both activities were seen as providing improved security, as well as a better controlled security sector.

Some international organisations have been more critical, however, of NATO's lack of progress with the so-called 'secondary tasks' such as facilitating refugee returns and apprehending suspected war criminals. (ICG 1997:6; ICG 1997b:3 and 10-12) On the refugee returns, a senior member of the IS staff in Brussels[60] did suggest in response that both UNHCR and OCHA had a particular antipathy towards NATO, so that might have some bearing on the criticism. The researcher could establish no direct evidence either way, but it should be noted that adherence to the concept of 'human security' would demand that NATO treat this as a high priority. The latter point, however, is particularly well made, as NATO did not believe that they had a mandate for pursuing those indicted for war crimes in the late-1990s, so there was no concerted effort in this area. (Kaufman 2002:140) Presumably this was to avoid direct confrontation with (mainly) Bosnian Serb hard-liners, although the formal evidence of this is rather hazy.

Notwithstanding those two issues, there would seem to be some empirical evidence for the general success of NATO's approach,[61] but it is also possible that part of the rationale for this prevailing view was the perception that NATO had successfully ended a war that the UN could not. More specifically one local Bosnian commented that without the presence of NATO there would have been no implementation of the DPA and although some of the officers and soldiers in 1995 were the same as those from the UN force, they had a completely different structure and the different mandate in NATO. Therefore, one could not compare the 2 organisations with "… NATO functioning smoothly and effectively, and the UN overly bureaucratic and slow."[62]

[59] Perdan (2006) estimated that Operation HARVEST collected and destroyed some 22,600 small arms and light weapons from 1998 to 2006.
[60] Interview N13.
[61] For example, Reports from the UN Secretary General to the UN Security Council: UN (1996a: Paragraph 37) and UN (1996b: Paragraph 51).
[62] Interview BH12.

From an institutionalist perspective, the perceived lack of success of the UN does raise an interesting point about its capacity for adaptation and 'portability'. The latter term is used to mean the ease an institution can adapt its rules and practices from one context to another. As Wallander and Keohane contend:

> "Both 'portability' and its limits are illustrated by the attempt of the United Nations to adapt its institutional arrangements for peacekeeping to the war in Bosnia. […] But coercing belligerents was not part of the UN's peacekeeping repertoire, and the mission collapse over its inability to perform that function, which was essential to achieving an enduring cease-fire." (2002:98)

This should put some of the criticism of the UN in perspective.

Although there was no state-level apparatus for dealing with defence,[63] there was a provision in Annex 4 (the Constitution of BiH) of the DPA that assigned responsibility to the three-member BiH Presidency to be the civilian commanders-in-chief of the armed forces. It also allowed for the establishment of a formal Standing Committee for Military Matters (SCMM) to coordinate activities.[64] It was this mechanism for coordination that NATO drew upon to help enforce the provisions of the GFAP, and, in particular, Annex 1-A, and then to initiate the process of reform. As Hamza Višća, a former Brigadier in the AFBiH, explained:

> "... NATO did a great job in years like '97, '98, '99 and 2000 [...] bring[ing] fifteen members of the Armed Forces of Republika Srpska and thirty members from two different ethnic groups, Bosniak and Croat, [...] on tailored courses in Oberammergau and show us which [*sic*] kind of Armed Forces are necessary to develop in a democratic society. And that helped us to think more about our professional approach to our reform, less about our national feelings or something like that, less about history more about the future, and that is the first great job."

[63] Interview BH15.
[64] See Annex 4, Article V, Paragraph 5 at: OHR, *Annex 4, GFAP*, *op cit.*

This use of 'soft tools' to influence the thinking and perception of the members of the VRS and VF had already been used by NATO and the OSCE[65] in assisting the countries of the former Warsaw Pact with their reform process in the 1990s but they had not hitherto been used as part of a reconciliation and healing process. NATO's use of soft power' will be reflected upon later in this Chapter.[66] As explained earlier, SSR was still a nascent and contested concept at this time, so the NATO practitioners in BiH relied heavily upon common sense and a degree of maieutic skill in plotting a path to reform of the security sector. This was helped in 2001 by the then High Representative, Wolfgang Petrisch[67], who co-opted his own two-star Military Advisor to take on the additional responsibility for the Department for Security Co-operation (DSC) within the OSCE Mission in BiH. The aim was to coordinate activities of the OHR, SFOR and other members of the International Community in addressing defence-related issues.[68] More specifically this allowed activities which fell separately to NATO and the OSCE under Annexes 1-A and 1-B of the DPA to be dealt with holistically. It was a coordination role that subsequently fell entirely to NATO at the beginning of 2005.

Included within the provisions of the DPA, there was one additional constraint on the entity armies that proved particularly useful. It was the instruction to COM IFOR to set up a 'Joint Military Commission' (JMC). As a NATO official explained:

> "The membership of that Commission [...was...] made up of all institutions in the host nation that had a defence or a security role, and the Commander [... of SFOR ...] was charged with basically ensuring that they did what they were

[65] The OSCE drew heavily upon its 1994 'Code of Conduct' on shaping perceptions and processes. (OSCE 1994)
[66] See section entitled: 'DISCUSSION AND SYNTHESIS'.
[67] High Representative from 1999 to 2002.
[68] Details can be found on the OHR website, see: OHR, *Military Advisor to the High Representative*, dated 25 July 2003. Available at: http://www.ohr.int/?ohr_archive=military-advisor-to-the-high-representative-2&lang=en [Last accessed 4 April 2016].

> supposed to do under the Agreement and issue further detailed regulations, directives, to them, obligatory ones using his powers under the Agreement to make sure that the overall aim of maintaining a safe and secure environment was achieved, and so the Joint Military Commission issued many sets of [...] so-called instructions to parties [ITPs]. Thereby binding the host nation actors in even more detail than they were bound by the more general provisions of Annex 1-A, and also allowing him to [...] issue instructions that were not explicitly mentioned in the Dayton Peace Agreement." [69]

The primary actors within SFOR for dealing with the JMC and the two entity armies were the Joint Military Affairs (JMA) office and the Faction Liaison Office.[70] The JMA facilitated much of the early thinking about defence reform and helped set up a number of working groups under the aegis of the JMC. (Haupt & Fitzgerald 2004:156-157) The JMC was a particularly useful tool and by 2000 SFOR's skilful use of its mandate in compelling compliance from the entity forces meant that: "... the ethos was one of consultation and co-operation (however reluctant), and the international community was able to engage jointly with BiH on these issues. " (Maxwell & Olsen 2013:25) This then led to a broader coherence over technical military standards, mainly through adherence to PfP norms.

By 2001 the BiH Tri-Presidency became convinced of the benefits of PfP and decided to apply for membership. In a departure from normal practice within PfP, the NATO Secretary General wrote to the Presidency in July 2001 and again on 11 November 2002 outlining the specific steps that BiH needed to take to enhance its case for candidacy. (Maxwell & Olsen 2013:29) [71] This effectively consolidated the path of reform towards a common goal for the entity

[69] Interview BH5-N.
[70] Little mention is made about the work of the 'Faction Liaison Office' in the histories of SFOR or NATO in BiH but its role was vital in acting as a bridge between the entity armies, the JMA and the JMC. (See Interview BH25)
[71] Maxwell & Olsen only refer to the second letter: George Robertson, NATO Secretary General, 'Letter to Presidency of Bosnia and Herzegovina', 11 November 2002. A copy can be found at Section 10.2 of DRC (2003), which clearly mentions the earlier letter as well.

armed forces, which set the scene for the Defence Reform Commissions of 2003 and 2005.

The First Defence Reform Commission: 2002-2003

As Major General John Drewienkiewicz[72], a former SFOR Chief of Staff, opined: "... by 2002 all of the 'low hanging fruit' of Dayton Implementation had been gathered." (Maxwell & Olsen 2013:1) It was therefore inevitable that Paddy Ashdown's arrival as BiH's High Representative in May 2002 would herald a change of direction within the OHR, but no more so than in its approach to BiH's security sector. One of his first acts was to coordinate more directly with the Commander of SFOR and move his military advisor (and co-opted head of the DSC in OSCE) "... into a unit supporting the military reform process." [73] Thus, as Ashdown (2007:228) went on to state: "The close relationship between OHR and SFOR [...] became the twin pillar on which my mandate was based."

Given the many and conflicting priorities for the High Representative, especially with regards to the Bosnian economy, it is little wonder that progress in the security sector was initially hard to find during this period. It took serendipity for three separate events to occur that changed the entire context. The first event was in October 2002 when SFOR, acting on intelligence, raided an armaments factory owned by the RS government. The factory was suspected of supplying arms and spare parts to Iraq, which was in contravention of the UN arms embargo on Iraq at the time and, by extension, in contravention of the DPA. As Ashdown (2006:248) explains:

> "... [t]he information from [... the raid ...] took some time to be analysed. When it did, it fully confirmed our suspicions - *Orao*, a state firm controlled by the RS government was supplying aircraft spare parts and technical assistance to the

[72] Drewienkiewicz was a former UK Army flag officer, who spent a number of years in BiH not just as SFOR Chief of Staff but also as Military Assistant to the High Representative, Chief of Implementation of the OSCE Department of Security Cooperation and Vice-Chair of the Defence Reform Commission.
[73] Ashdown opined that the US Commander of the SFOR mission was better placed to be his military counterpart. (Ashdown 2007:228)

> Iraqi air force. [...] We knew at once that this would give us the opportunity I had been looking for to try to push through defence reform in order to abolish the two opposing entity armies and create a single Bosnian army under state control."[74] [75]

After several months of denial from the RS, NATO was able to prove comprehensively that the RS government and its officials had actively connived to contravene UN sanctions and, by so doing, laid the state of BiH open to UN sanctions. In Ashdown's view there needed to be some form of political accountability and, in the event, Mirko Šarović, the Serb member of the Tri-Presidency, resigned his office on 2 April 2003.[76] The departure of Šarović was complemented by the dismissal of VRS Chief of Staff, General Momir Zec, and seventeen other Bosnian Serb officials.[77]

The second event was SFOR's identification of a VRS military Intelligence Unit that was conducting electronic surveillance of both international and local institutions. This led to the disbandment of the unit and confirmation, if any were needed, that certain VRS units were operating outside civilian control.[78] The third event was the parlous financial state of the two entity MODs, which was unsustainable over even the short-term. This fact was recognised by most of the local actors and proved to be a major point of leverage for the High Representative. (DRC 2003)

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[74] See also Vetschera (2006:28-42) for more detail on the impact of the 'Orao Affair'.
[75] There was close coordination between the High Representative, SFOR and the NATO chain of command over Orao and the subsequent exploitation of the material recovered. Researcher's personal notebook (7 March 2002 - 4 November 2002) - 10 October onwards.
[76] Šarović was the RS President and commander in chief of the VRS during the period in which the refurbishment of aircraft and sales of parts took place. For more detail on the 'Orao Affair' see: BBC, *Ashdown Clips Bosnian Serb Wings,* dated 2 April 2003. Available at: http://news.bbc.co.uk/1/hi/world/europe/2909875.stm [Last accessed 13 March 2016].
[77] See: Centre for Peace News Report, *Bosnian Serb authorities have done 'enough' on arms-to-Iraq scandal*, dated 29 March 2003. Available at: http://www.balkanpeace.org/index.php?index=article&articleid=11178 [Last accessed 13 March 2016].
[78] See: Spacewar News Report, *Bosnian Serb army unit disbanded after caught spying on NATO*' dated 14 April 2003. Available at: http://www.spacewar.com/2003-a/030414150026.dz6122x7.html [Last accessed 12 December 2015].

This combination of a lack of civilian and political oversight of the VRS and the spiralling costs of both entity armies created the conditions for Ashdown and the OHR to create a commission, in cooperation with the OSCE and NATO, to develop recommendations and draft laws for a state-level command and control apparatus for the entity armed forces.[79] On 2 April 2003 the High Representative announced the formation of this Defence Reform Commission (DRC) with the explicit aim of making BiH a credible candidate for PfP by 1 January 2004.

It is worth reflecting briefly on these events. Taking a term from historical institutionalism, this was undoubtedly a 'critical juncture'. It created a window of opportunity for Ashdown, as an institutional agent with real power, to unfreeze the situation and to make available a new series of choices, of which the DRC was just the first. It was also a clear demonstration to local politicians that Ashdown was prepared to use the power that was available. Although progress in supporting SSR was not necessarily contingent upon this 'critical juncture' (as there may have other such junctures subsequently), it undoubtedly shifted contextual conditions and overcame resistance from the entities.

The seasoned US diplomat/politician, Jim Locher III[80], was appointed by Ashdown as Chairman of the DRC with an official from OHR's staff, Johannes Viereck, as his chief of staff. Viereck and other members of the international community had been heavily involved in the months leading up to the creation of the DRC in shaping the political environment for its formation. In particular they had been working closely with NATO and the SCMM. In January 2003 at the height of the 'Orao Affair' the Secretary General of the SCMM reiterated

[79] As, strictly speaking, this was beyond the requirements of the DPA, Ashdown used his 'Bonn Powers'. For full details of the OHR's announcement see: OHR, *High Representative Acts to Ensure that Military in BiH Are Under Effective Civilian Control*, dated 3 April 2003. Available at: http://www.ohr.int/?p=48712&lang=en [Last accessed 14 March 2016].

[80] Locher was on the US Senate Committee on Armed Services in the 1980s and led the taskforce that produced the Goldwater-Nichols Defence Reorganisation Act of 1986, which was a significant reorganisation and reform of U.S. Defence structures. Laterly, he was also a member of the US Secretary of Defence's Task Force on Defence Reform and the National Security Study Group of the U.S. Commission on National Security for the 21st Century. For more details see the OHR statement at the 'SFOR Press Conference of 6 May 2003. Transcript at: http://www.nato.int/sfor/trans/2003/t030506a.htm [Last accessed 22 March 2016].

BiH's aspiration for PfP membership to a PIC meeting in Brussels[81] [82] but, as Viereck explained when interviewed, the difficulty for NATO is that it had never had "... a country wishing to become a PfP member, let alone a NATO member, with two Armies."[83] The DRC therefore needed to address some fundamental issues.

The process began with the selection of the Commission members, who comprised a subtle blend of local politicians (including Tri-Presidency representatives and the entity Ministers of Defence), heads of relevant international organisations based in BIH (the OSCE Ambassador, the EUSR and Commander SFOR), as well as the Director of NATO's Balkan Task Force (DASG Robert Serry) from Brussels, the Secretary General of the SCMM, and observers from the US, Russia and the Organization [sic] of Islamic Conference (IOC) .[84] The Russian and IOC proved particularly helpful in managing the expectations of the Bosnian Serbs and Bosniaks respectively. (Maxwell & Olsen 2013:33) A small DRC secretariat ran the day-to-day activities with seven working groups of mainly local actors providing the detailed expertise in areas such as defence and parliamentary oversight.

As set out in its covering letter to the DRC 2003 Final Report[85] "... [t]he Commission established three criteria to guide its work. It agreed that its recommendations needed to be organizationally sound, politically acceptable, and capable of full and timely implementation." In retrospect there was a danger that the progress made in DRC 2003 would be deemed to be inevitable but as Johannes Viereck was at pains to remind the researcher, this was not the case:

[81] Interview BH13.
[82] See: OHR, *Declaration of the Political Directors of the Peace Implementation Council Steering Board*, dated 30 January 2003. Available at: http://www.ohr.int/?p=49200&lang=en [Last accessed 15 March 2013].
[83] Interview BH13.
[84] For a full list see: DRC (2003:iii-vi).
[85] Included in DRC (2003:iii).

> " My point with this is that often there is this rose-tinted view back to the Paddy Ashdown days where the international community was all in agreement and it was all very easy. It's much more difficult now because we are not in agreement. No, we had to fight tooth and nail, work very long hours and be very clever about all we did. This was not something that we just turned over and said right we want to do this. We fought for it, the High Rep fought for it, by design and by his personality." [86]

The political environment in 2003 continued to be extremely difficult and local members of the DRC were normally reluctant to engage with sensitive issues without obtaining political top-cover first. Thus Jim Locher and the DRC Secretariat were assiduous in undertaking broad consultation before developing fresh ideas and draft concepts, and then once the thinking had been developed, ensuring that possible solutions were fully socialised with all the stakeholders. (Staples 2004:35; Maxwell & Olsen 2013:34)[87]

As the aim of DRC 2003 was to prepare BiH for PfP membership, it was axiomatic that NATO should be closely involved in the process, facilitate discussion, and make some of the key judgement calls. Nonetheless, as Viereck avers, the majority of the detailed work was still led by the OHR but with representation from SFOR and NATO HQ Brussels:

> "From my perspective, the crucial nut was cracked in [... the NATO School ...] Oberammergau in the summer, July 2003, where we hammered out with Jim's fantastic skills and agreed to the concept of the new Armed Forces. And NATO's role in that was to basically lend us Oberammergau for that week, and I'm sure paying for all the Bosnian participants. So they were along all the time, NATO, but they were not leading the efforts at this point in time. [...] Of course all the questions about, you know, would that be acceptable to NATO? [The NATO representative...] would nod or shake his head right then so that was very helpful. In the DRC Report from 2003 there was also a chapter on what

[86] Interview BH13.
[87] And Interview BH13.

> NATO expected from the Bosnian authorities. So by agreeing to this concept, [...] there was agreement to establish a Ministry of Defence at State level."

By September 2003 the DRC produced a report that contained a draft BiH defence law, with the concomitant constitutional amendments, that created operational and administrative chains of command. The draft legislation was supported by background explanations and concepts. In essence the entities retained their responsibilities to organise, train and equip armed forces through their own entity ministries but responsibility for their deployment and for all strategic issues was placed firmly at the state-level. The SCMM, in effect, became the new BiH Ministry of Defence. The report also contained draft legislation for the creation of a Parliamentary Committee, which was intended to provide much stronger civilian oversight of the defence sector.

The final document was achieved by consensus and as Christian Haupt[88] and Jeff Fitzgerald (2004:167) point out: "Given the political dynamic and sensitive nature of this issue, all involved had to accept painful compromises." This consensus-based, inclusive approach ensured political support for the legislation from all sides. Whilst members of the international community participated fully in the debate, there was real local ownership that conformed to the principles of SSR.[89] This latter point is fundamental as NATO would have found it virtually impossible to accept BiH's candidacy for PfP if the solution had been imposed by the High Representative.

This hybrid approach with the continuation of entity ministries of defence was, however, still not ideal but it was considered a good first step towards full integration by 2007. Indeed it had been Locher's original intention to include an

[88] Haupt was the Chair of the Parliamentary Oversight working group in the 2003 DRC.
[89] Inevitably there are dissenting voices such as Chandler (2006:123-142) about the level of potential 'ownership' in a country like BiH, and certainly the timing and framework of the DRC was stipulated by the OHR and international community. Nonetheless, all the decisions and compromises were made by the local actors. Of particular note was the bold decision of the Tri-Presidency to retire all serving general officers and replace them with officers promoted from the rank of colonel in order to ensure there was fresh impetus to making the new structures work. Although Locher was sounded out by the Tri-Presidency, the initiative was entirely theirs. (Interview BH13.)

organogram of what the structure would look like in 2007 with one single Army and without the entity ministries. In the event Dragan Čavić, the President of the RS, asked Jim Locher to remove it. He judged that it would make it more difficult for him to sell the Report politically and this was accepted by Locher.[90] Bruce McLane (2009:71), one of the NATO representatives on the DRC, confirmed this longer-term approach when he said that: "... members of the commission had ambitions that stretched beyond membership in PfP. [They ...] realized [*sic*] that full NATO membership should be the ultimate goal. Thus the stage [.. was ...] set for a continuation of the DRC's work." Not only did the DRC actively support the new Defence Law through the Parliamentary process to its adoption in December 2003, but Ashdown then extended its mandate to the end of 2004 in order to continue assisting the BiH authorities across a range of different issues.

In summarising the first phase of the DRC, it is perhaps worth turning to the words of Locher himself in a 2004 article in the *NATO Review*:

> "Initially conceived as a temporary, technical effort to draft new or amended defence laws, the Defence Reform Commission has evolved into an engine of continuous change addressing all the ongoing strategic, operational, and technical issues relating to Bosnian defence reform. This process has not only assisted Bosnia and Herzegovina in identifying, planning, and implementing necessary reforms; it has also significantly improved coordination within the international community."[91]

The Second Defence Reform Commission: 2004-2005

The new structures of a state-level MoD, a Joint Staff and an Operational Command came into being in early 2004 and a new Minister, Nikola

[90] Interview BH13.
[91] NATO Review, *Reforming Bosnia and Herzegovina's Defence Institutions*, Winter 2004. Available at: http://www.nato.int/docu/review/2004/issue4/english/military.html [Last accessed 20 March 2016].

Radovanović,[92] was then appointed by the Council of Ministers in the March. The VRS and VF also began to downsize to the manning levels set out in the DRC 2003 Report,[93] although concerns were starting to be raised about the efficacy and cost-benefit of continuing with conscription.

During 2004 members of the DRC Secretariat and NATO continued to support the nascent MoD and Joint Staff, and by the end of the year all but one of the technical benchmarks for BiH's entry into PfP had been implemented.[94] What was of more concern to Ashdown, however, was the evidence of continued support by the VRS to indicted war criminals including General Ratko Mladic.[95] (Maxwell & Olsen 2013:45) It was something that Ashdown was determined to tackle.[96]

There had been considerable anticipation that BiH would be offered PfP membership at the NATO Summit at Istanbul in June 2004. It was clear from the summit communiqué, however, that the key decision regarding BiH was the planned hand over of the SFOR mission to the EU later that year. (NATO 2004:3 and 80) The possibility of PfP membership was still held out to BIH, as well as Serbia and Montenegro, once they had met the "established NATO conditions". (*Ibid*:Paragraph 33) In both cases this meant full cooperation with the ICTY.

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[92] Radovanović was a Bosnian Serb and the Representative of the RS President on the 2003 DRC, so was the ideal candidate who could assuage the continuing concerns about a state-level ministry amongst his own entity.

[93] The totals were 12,000 full-time personnel, 12,600 conscripts and 60,000 reservists. (DRC Report 2003:5)

[94] OHR, *27th Report by the High Representative for Implementation of the Peace Agreement to the Secretary-General of the United Nations (1 July 2004–31 December 2004)*, dated 12 April 2005. Available at: http://www.ohr.int/?p=43763&lang=en [Last accessed 1 April 2016].

[95] Papers leaked to the Sarajevo daily *Dnevni Avaz* on 30 November 2004 indicated that General Ratko Mladic received a pension from Belgrade until 2001 as well as a Bosnian Serb VRS pension until 2002, many years after his indictment. See: IWPR Report, *Mladic on Belgrade Payroll Years After Indictment*, dated 3 December 2004. Available at: https://www.globalpolicy.org/component/content/article/165/29540.html [Last accessed 12 December 2015]. There was considerable speculation at the time that the documents had been deliberately leaked by OHR staff in order to maintain pressure on the RS government but this was never proven. (Researcher's personal recollection.)

[96] On 30 June 2004 Ashdown removed fifty-nine Serb officials and politicians for non-cooperation with the ICTY and then another nine in December 2004. Thereafter cooperation by the RS began steadily to improve. (Ashdown 2007:293-294)

On 22 November 2004 the United Nations Security Council (UNSC) adopted UNSCR 1575, which agreed that the EU could launch a military operation in BiH taking over responsibility for most of the stabilisation role from SFOR under Annex 1-A and Annex 2 of the DPA. The EU Force (EUFOR) role[97] included training support to the AFBiH, which was to be shared with NATO.[98] As part of the 'Berlin Plus' arrangements,[99] NATO agreed to continue to provide some elements of life support to EUFOR but the major change for the successor organisation to SFOR was taking the in-country lead for assisting BiH with defence reform and integration into the Euro-Atlantic structures. NATO HQ Sarajevo (NHQSa) took on this role on 2 December 2004 and it continues today.[100]

This change in mandate saw the orchestration of a series of complementary activities during December 2004, including the re-launch of the DRC. Ashdown had previously summoned Jim Locher and Johannes Viereck back to Sarajevo in order for them to help design a new mandate for the 2005 DRC.[101] This process was then unveiled and agreed at the PIC Political Directors' meeting in Sarajevo on 2-3 December 2004[102] and formally mandated through use of the 'Bonn Powers' by Ashdown on 31 December 2004.[103] In effect this extended the DRC for another year, and formally handed the role of co-chair of the DRC to the NHQSa political adviser, Dr Raffi Gregorian. Defence Minister Radovanović continued as the other co-chair and the experienced Major

[97] The EUFOR mandate and roles can be found on the EASS website. See: EASS, *About EUFOR*, dated 14 August 2015. Available at: http://www.euforBiH.org/eufor/index.php/about-eufor/background [Last accessed 22 January 2016].
[98] Interviews BH1 and BH7-N.
[99] For a full treatment of the 'Berlin Plus' arrangements see a NATO Press Information Pack from 2004, 'The NATO-EU Strategic Partnership' at: http://www.nato.int/docu/comm/2004/06-istanbul/press-kit/006.pdf [Last accessed 13 December 2015].
[100] The mandate for NHQSa is at: JFC Naples, *About NHQSa*. Available at: http://www.jfcnaples.nato.int/hqsarajevo/about-sarajevo-/nhqsa-mission [Last accessed 1 April 2016].
[101] Interview BH13.
[102] See: OHR, *PIC SB Political Directors, 'Communique´,* dated 3 December 2004. Available at: http://www.ohr.int/?p=44583&lang=en [Last accessed 12 January 2016].
[103] 'Decision Extending the Mandate of the Defence Reform Commission (331/04) dated 31 December 2004. (DRC 2005:173-178)

General John Drewienkiewicz, the High Representative's double-hatted Military Advisor and Head of the OSCE's Department for Security Cooperation, continued as the Vice-Chair.

In the lead-in to the formation of NHQSa and the assumption of its new role, a series of meetings were held within BiH in order to coordinate the new arrangements. At one of the meetings, Ex CRITICAL HORIZON,[104] in August 2004, JFC Naples announced that there would be a cap on staff levels for the nascent NHQSa.[105] This created a dilemma for the new HQ. It preserved military posts that would comprise the NATO Advisory Team (NAT) but removed civilian posts for some of the anticipated political work including within the DRC. As Maxwell & Olsen (2013:47) observed in their book, John Drewienkiewicz finessed the issue and a major proportion of the OSCE DSC manpower was transferred to NHQSa in January 2005 in order to take on both the politico-military work within the DRC but also within NHQSa.[106]

Whilst the DRC was undoubtedly the main focus in 2005, a myriad of other strands of work were being undertaken, with NATO assistance, in other areas of defence.

One particularly important strand for PfP membership was to ensure that BiH was legally entitled, and had the operational capability, to deploy on NATO missions and, as a first step, laws were amended in order to prepare for these missions. Although such missions were not to come for a few more years, in June 2005 the first rotation of an AFBiH unit was deployed overseas to join the US-led coalition in Iraq.

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[104] Attended by the researcher. See: SFOR Informer Online, *Exercise Critical Horizon*, dated August 2004. Available at: http://www.nato.int/sfor/indexinf/172/p03a/t02p03a.htm [Last accessed 8 April 2016].

[105] Researcher's personal note book 14 May 2004 - 15 November 2004. Notes from 1 August 2004. NATO's reasoning behind the decision was pecuniary. Military staff were paid by the nations, whereas civilian staff were paid by NATO, so it was cheaper to use military.

[106] The detail of the manpower establishments, and who paid who, took a little time to catch up but it was a classic case of pragmatism over dogma. See also interview BH12.

Work proceeded apace on the DRC throughout the first half of 2005. Whilst there seemed to be general agreement on the need to remove conscription, there was considerable resistance to the removal of all ethnic characteristics from the new Armed Forces. With characteristic initiative Raffi Gregorian, the DRC co-chair and NHQSa Political Advisor, suggested a modified version of the British regimental system that was used throughout most of the British Commonwealth. He managed to secure agreement on all sides for a degree of ethnic identification for the infantry but a common BiH identity for the remainder of the AFBiH. (Maxwell & Olsen 2013:50-51) Lieutenant Colonel Rob Tomlinson, the UK Defence Attaché in Sarajevo, did voice some concerns about the regimental system:

> "It was the best thing at the time to win consensus and agreement from three warring factions, and it was a necessary step in DDR and SSR. Now if we could do it again, I wouldn't do it that way. I think it has reinforced [...] too many of the negative Regimental traditions rather than what was intended to do was build an *esprit de corps* amongst effectively three ethnic Armies. And certainly when I go to their Regimental Open Days once a year, and I try and avoid them, they are far more nationalistic than they should be and we ever hoped they would be. So it wasn't a mistake, it was a necessary requirement, but I would like to see in time somehow to dilute the effect on the strength of the Regimental system [...]. Not everyone agrees with me, they think it's a great system, and that's fine, but if nothing else we mustn't allow their Regimental traditions to interfere with their operational and daily life."[107]

Whilst Tomlinson's views are not universally held, they do chime with the researcher's observations of the AFBiH regimental system in action over the past ten years and also with the comments contained in a policy paper by the well-regarded Democratization Policy Council (DPC). (Azinović 2011:32)

The final DRC 2005 Report was published in September of that year and proposed the full professionalisation of the AFBiH, a single defence

[107] Interview BH18.

establishment with a single military force. (DRC 2005) Two pieces of draft legislation were included in the report: a new 'Defence Law and a new 'Law on Service'. It was recognised by most members of the DRC that both pieces of legislation would require careful nurturing and assistance through the BiH legislative procedures and NATO took on that task. (McLane 2009:71) Both pieces of legislation were then passed in December 2005 and the process of closing down the entity MoDs began the following month.

The Onset of Political Stalemate: 2006-2015

Lord Ashdown handed over as High Representative in January 2006 to a German politician, Christian Schwarz-Schilling. The closing down of the entity MoDs was undoubtedly the high watermark of defence reform in BiH but it also heralded the end of activism from the High Representative, epitomised by Ashdown, and the low-key, hands-off approach of Schwarz Schilling. Politically this fundamental change could not have come at a worse time, as the political order in the RS began to change. The consensus approach adopted by Locher and Gregorian in the two rounds of the DRC was steadily coming under pressure within the RS. As Johannes Viereck explained, the RS President "... Čavić was under nationalist attack. Mr Dodik was sensing that his moment had come and he was beefing up his nationalist rhetoric and his nationalist standings. So he outdid an SNS President and President of the RS by speaking even more nationalistically, and saying it was a failure of what Mr Čavić had done [*sic*]."[108] Čavić began to lose political support and then:

> "In what seemed a foolhardy move to some at the time, the leader of the Union of Independent Social Democrats (SNSD), Milorad Dodik, became Prime Minister of the RS in March 2006, seven months in advance of general elections. Cooperation from Banja Luka on previously agreed (and internationally required) reforms ground to a halt at this point." (Azinović et al 2011:10)

[108] Interview BH13.

Dodik consolidated his hold on power in the lead-up to the elections with a raft of provocative and polarising comments and was ably assisted by the Bosniak, Haris Silajdžić, in creating an atmosphere of mistrust and insecurity. For the next ten years, first as Prime Minister, and then as President of the RS, Dodik has both teased and manipulated the international community. His stock-in-trade has been to threaten to hold a referendum on independence[109] or to argue that international efforts to improve governance or state institutions is contrary to the DPA. There are many who would argue that the international community has been complicit in this charade by instructing local international officials to avoid 'provocative actions' in the chimerical hope of obtaining a 'deliverable'.[110]

Since 2006 there has been much talk about the move from Dayton to Brussels, as a shorthand for the move from the post-war environment to integration within the EU.[111] Over this time the EU has implemented a much broader reform agenda than hitherto,[112] coupled with a move to close down the OHR. At a meeting of the Political Directors of the PIC Steering Board in Brussels on 26-27 February 2008, the board set out the requirements that needed to be met by the BiH authorities prior to the closure of the OHR. The so-called '5+2 agenda' contained five objectives and two conditions that had to be met before such an event could take place.[113] There is an argument which would suggest that in being so explicit in what was required for progression to EU membership, local politicians should have every incentive to strive for them. There is a counter-

[109] For example, Balkan Insight, *Dodik Accused of Manipulating Referendum Issue*, dated 2 April 2014. Available at: http://www.balkaninsight.com/en/article/opposition-accused-dodik-of-manipulating-with-referendum [Last accessed 9 April 2016].
[110] The EU and the PIC would seem to have been particularly guilty of this approach since 2006. For details see: Azinović (2011:11-13); Türbedar (2012:128-129); ICG (2012); Economist Article, *Bosnia's Future,* dated 17 July 2008 (Available at: http://www.economist.com/node/11751332 [Last accessed 9 April 2016]); Balkan Insight, *Florian Bieber Blog*, dated 6 March 2014 (Available at: http://www.balkaninsight.com/en/blog/i-am-making-a-list-i-am-checking-it-twice-identifying-the-enemies-of-rs) [Last accessed 10 April 2016]); Balkan Insight, *Elvira Jukic Blog*, dated 2 April 2014. (Available at: http://www.balkaninsight.com/en/article/opposition-accused-dodik-of-manipulating-with-referendum [Last accessed 27 March 2016]).
[111] The titles of a number of academic papers have contained this phrase. For example, USIP (2006) Aybet & Bieber (2011), and Majstorović *et al* (2015).
[112] This is generally referred to as 'the EU's enhanced role' in BiH.
[113] Full details of this '5+2 agenda' see: OHR, *'5+2 Agenda'*. Available at: http://www.ohr.int/?page_id=1318&lang=en [Last accessed 24 February 2016].

argument which would suggest that by being so explicit, the PIC has allowed the political elite in BiH to know exactly what they have to do in order to prevent any change in the status quo - a status quo that tends to benefit the politicians but not the people or the country. As the OHR says on its website:

> "While progress has been made in some areas, chronic disagreement among the main political parties has produced gridlock that has prevented the full implementation of the agenda."[114] [115]

There was one moment in February-March 2014 when it seemed that the sleeping giant of civil society in BiH had finally woken up. Starting in the town of Tuzla, a group of workers protested that they had not been paid for several months. Very quickly similar protests spread across much of BiH with similar grievances. The focus of the dissatisfaction was a detached ruling elite and a corrupt and self-serving bureaucracy. In a short while citizen plenums were set up and a number of local and cantonal governments resigned. Initially it was thought that these plenums could become a force for change in the country but, very quickly, the ruling elite manipulated the public discourse and by the summer the status quo had been resumed.[116]

For some in BiH this was a disappointing outcome and it is therefore worth some further reflection. There are perhaps two reasons for the plenums not living up to expectations. The first is rent-seeking. Keohane suggests that:

> "People often seek to gain distributional advantages not by being productive but by gaining control of policies in order to capture rents. […] … the institutions of liberal democracy have limited, but not eliminated, the success of rent-seeking." (2002:260)

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[114] *Ibid*.
[115] One of the objectives to be resolved is resolution of the defence property issue. This will be covered in more detail in the next section.
[116] Balkans Insight, *Whatever Happened to the Plenums in Bosnia?*, dated 16 June 2014. Available at: http://www.balkaninsight.com/en/article/whatever-happened-to-the-plenums-in-bosnia [Last accessed 16 June 2014].

This is particularly true in BiH, which has two entity-level governments with their assemblies, ministries, ministers, ministerial staff, and hangers-on; a state-level of similar ministries and bureaucracy; a variety of police forces etc.[117] A large swathe of the working population in BiH are employed in the public sector. The ruling elites also have considerable powers of patronage and can dispense considerable financial largesse. In consequence, there are many in BiH who prosper from the *status quo* and are therefore reluctant to undermine it.[118]

Second, is the power vested in the RS government and particularly in the person of Milorad Dodik. Since taking office in 2006, Dodik has acted as a 'political entrepreneur' and, building upon the legacy of Radovan Karadžić, he has "… reformulated ethnic and political identities …" in the RS and "… appealed to the traditional identities of the rural areas to overwhelm the cosmopolitan identities that had begun to develop in the cities." (Keohane & Nye 2012:250) This appeal is grounded in the desire to unify with Serbia and has genuine support within the Bosnian Serb population within the RS. As a result, public opinion is easily swayed by Dodik and, in part, led to the failure of the plenums to live up to their early expectations.

There is currently a feeling of stagnation in the country, which is felt by both local actors and members of the international community. In rather uncharacteristically blunt language an official in the OHR commented:[119]

> "A brief review of the Structured Dialogue, Sejdić-Finci, the Mostar facilitation process and the US lead Federation Constitutional reform initiative leads one to the worrisome conclusion we are witnessing neither excessive direction or effective transition to local ownership but more an aimless drifting whilst the International Community exhibits a Nero like inclination to fiddle in the margins whilst Rome burns. Can BiH accede to anything whilst it exhibits all the symptoms of falling apart and can the International Community expect progress

[117] See also Ashdown (2006) where he discusses the same broad issue and states that there are thirteen prime ministers in BiH.
[118] Interview BH10B.
[119] Interview BH8.

in the wake of a number of failed or failing initiatives with an intentionally emasculated OHR?" [120]

He raised a number of interesting points, which the researcher thought might be addressed by the EU in its annual report. In reality the 2015 EU Progress Report[121] on BiH perhaps summarises eloquently the dilemmas faced by both the EU and BiH. The document articulates succinctly some of the socio-economic challenges besetting the country and highlights a number of areas that require more attention from countering corruption to doing more to ensure respect for human rights and the protection of minorities.[122] Notwithstanding some glaring deficiencies, a Stabilisation and Association Agreement (SAA) between BiH and the EU entered into force on 1 June 2015. What the progress report conspicuously failed to highlight, however, were the reasons behind the refusal to implement the 2010 Constitutional Court decision on Mostar's statute, the failure to implement the Sejdić-Finci ruling of the European Court of Human Rights, and the paradox of the RS Assembly's unanimous decision to implement all necessary reforms for BiH's integration into the EU whilst at the same time challenging the supremacy of the state level judiciary over that in the RS. These may seem somewhat unrelated issues when discussing SSR, but they all add up to a dysfunctional country that seems to be a state in name only.

As a former German ambassador to BiH suggested "... with the present level of dysfunctionality [...] full membership of the EU is unimaginable." (Schmunk 2009:30) Although Michael Schmunk made those remarks several years ago, in the time warp that is BiH, nothing has changed. The current High Representative, Valentin Inzko, seemed to share these concerns when he warned UN Security Council in New York on 10 November 2015 that "...[o]ver

[120] The interviewee obviously felt very strongly about these issues and he was supported to some extent in his assertions by Interview BH10 and an internal OHR document: *International Community (IC) Approach to BiH*, dated 13 May 2013. Copy held by researcher.
[121] European Commission, *Bosnia and Herzegovina 2015 Report*, SWD(2015) 214 final date 11 November 2015. Available at: http://ec.europa.eu/enlargement/pdf/key_documents/2015/20151110_report_bosnia_and_herzegovina.pdf [Last accessed 24 November 2015]. The period of the report is from October 2014 to September 2015.
[122] *Ibid*:4

the last 10 years, the country has not been moving in the right direction." He went on to say that he thought progress was possible in the next 10 years if there was the political will to deliver substantial reforms to move the country forward and, with respect to yet another threat from the RS to hold a referendum on independence in 2018, that the provisions of the DPA were respected. (UN 2015) [123] Given this political context, the aspiration of full NATO membership would also seem rather remote.

PfP Membership and Increasing Challenges to Reform: 2006-2015

Having analysed the onset of political stalemate from 2006 until 2015, it would seem constructive for this section to examine BiH's path through PfP membership over the same period, to examine in detail one specific political challenge blocking further progress to NATO accession, and finally to review the improving operational capability of BiH's armed forces.

PfP Membership and Standards

Notwithstanding the deepening political crisis in the country, BiH was awarded PfP membership at the Riga NATO Summit in December 2006 along with Serbia and Montenegro. (NATO 2006) By then BiH had improved its cooperation with the ICTY and met the conditions laid down in both DRC Reports, but it is likely that other political issues were also at play. Negotiations were under way in 2006 to tackle the unresolved issue of Kosovo's future status and there was much discussion in HQ NATO Brussels at the time that PfP membership was intended as a 'sweetener' for both Serbia and BiH.[124]

[123] Although outside the direct timeframe of this thesis, it is interesting to note both that BiH submitted its formal application for EU membership on 15 February 2016 and also the dichotomy of views between the Federation and the RS on the application. See: Balkans Insight, *Bosnia Split Over EU Membership Application*, dated 16 February 2016 at: http://www.balkaninsight.com/en/article/eu-application-draws-mixed-reactions-in-bosnia-02-15-2016 [Last accessed 12 April 2016].

[124] This issue will be covered further in Chapter 6. Although there is no official record of any linkage, it is the researcher's personal recollection from visits to Brussels in the second half of 2006, when he was working for UNOSEK.

BiH had been involved with a NATO Tailored Cooperation Programme (TCP) for a few years but membership of PfP allowed it to become actively engaged with both the Planning and Review Process (PARP) and the Individual Partnership Action Plan (IPAP).[125] These programmes are bespoke for PfP members and include a range of governance and financial issues that go well beyond defence and incorporate many elements of SSR. They form a pathway for countries such as BiH to internalise the norms and procedures of NATO and assist in the process of normative isomorphism. The researcher attended a Parliamentary Joint Committee on Defence and Security in Sarajevo in 2006, when Dr Raffi Gregorian explained to the elected members how the system worked. He particularly stressed that the standards laid down by NATO were those expected of full NATO members and thus were essential in preparing the country for membership. He also emphasised the correlation between the standards for NATO and EU membership.[126]

Over the next few years BiH gradually acceded to a variety of NATO standards from security to the NATO Codification System (NCS), and then contributed to its first NATO mission in March 2009.[127] BiH made steady, if unspectacular, progress with defence reform and in October 2009 submitted its application to join NATO's Membership Action Plan (MAP). At the meeting of NATO Foreign Ministers in Tallinn in April 2010, the North Atlantic Council formally invited BiH to join MAP[128] but subject to one condition: that all that immovable defence property that had previous belonged to the entities must be registered as state property. (NATO 2010g)

Immovable Defence Property

[125] See Appendix 5 for details of these programmes.
[126] Personal notebook of researcher 2 October 2005 - 27 March 2006. Note on 15 March 2006.
[127] Key dates taken from: BiH MoD, *Ministry of Defence and Armed Forces of Bosnia and Herzegovina – Brochure,* dated April 2011. Available at: http://www.mod.gov.ba/files/file/maj_2011/bosura%20eng%20mail.pdf [Last accessed 9 April 2016].
[128] Several observers suggest that this only happened because of the strong backing of, *inter alia*, the US and Turkey. For example, see Busterud (2014:7).

The decision to accept BiH on the MAP programme should have been a significant fillip for defence reform within the country but the rather esoteric issue of defence property, and who owned what, encapsulated a significant challenge to the unitary state of BiH. There are sixty-three defence properties[129] in the RS, which should have come under the control of the state MOD when the entity MoDs were closed down in 2006. The RS government has resisted this move and claims that they still belong to the entity. In effect the RS is now using this issue to block any further progress of the country towards NATO membership.[130] In discussing this challenge Busterud (2014:6) draws attention to the importance of including provision for SSR as an integral part of peace agreements. It would also be quite reasonable to ask the question why this was not resolved during the DRC processes, but, as a NATO official explains:

> "The reason why this was not resolved in the Defence Law of 2005 is because to have tried to get that deal in amongst the deal of transferring the Defence competencies to State level would have sunk the whole deal. So what we did in the Defence legislation, and we did the same for immovable Defence property, is put in the transitional provision."[131]

Those interviewed for this research have all made it clear that immovable property is clearly a political issue[132] and a senior OHR official claimed that "... resolution of State and Defence properties is the main objective to be fulfilled ..." for completion of the '5+2 Agenda' that would see the closure of OHR.[133]

Two interviewees, however, pointed out that there are some practical and operational implications for the AFBiH as well. Brigadier Hamza Višća, who had served on the BiH Joint Staffs, explained:

[129] Interview BH5-N.
[130] Interviews BH4, BH12, BH16, BH17 and BH18.
[131] Interview BH5-N.
[132] For example, Interviews BH2, BH4, BH16 and BH19.
[133] Interview BH19

> "For example, we have more than fifty Barracks which we do not need, and guarding them with more than half a thousand people today, which means if we rotated three groups on it, close to two thousand people, mostly soldiers. We have five thousand soldiers, two thousand armed guards which means two thousand people are not on training and that is a problem."[134]

This begs the question whether these defence properties need to be guarded in the first place. Dr Damir Kapidžić, a lecturer with the University of Sarajevo, suggested that some sites probably do not but many have already:

> "... been sealed, basically stripped bare and sealed. Others, where this is not possible – for example we have this infamous bunker near Konjić, the Tito bunker, it's a big complex and simply not possible to strip it bare of anything and even in itself it could be regarded as a security issue if it were abandoned."[135]

Apart from the opportunity costs that these activities consume, the defence budget still spends approximately 80% of its resources on personnel costs.[136] This leaves very little room for routine training, maintenance of current equipment and development of new capabilities. It is a problem shared with most of the post-communist MoDs.

Operational Capabilities and Deployments

To bring this section to a close, it is worth reviewing AFBiH's deployments and operational capability over the politically fallow years of 2006 to 2015. The

[134] Interview BH9.
[135] Interview BH17.
[136] Obtaining precise budgetary figures for BiH is difficult but this figure was quoted both by Busterud (2014:5) and Aybet & Bieber (2011:1933) and, in the former case, came from an interview with a member of the NHQSa NAT. A 2009 report from CSS puts the MoD personnel costs at around 70-82% between 2004 and 2009. The report points out, however, that certain operating costs are included in this percentage. It avers that if common practice from several NATO countries was adopted then personnel costs would be around 50-60%. It is not possible to judge the reliability of this figure. For CCS Report see: http://www.css.ba/wp-content/uploads/2011/06/images_docs_troskovi%20i%20beneficije%20pridruzivanja%20nato%20eng.doc%201.pdf [Last accessed 13 April 2016].

ability of individual NATO and PfP armed forces to be interoperable is a key tenet of Alliance policy. In essence:

> "NATO's interoperability policy defines the term as the ability for Allies to act together coherently, effectively and efficiently to achieve tactical, operational and strategic objectives. Specifically, it enables forces, units and/or systems to operate together and allows them to share common doctrine and procedures, each others' infrastructure and bases, and to be able to communicate."[137]

One of the principal mechanisms that NATO employs is a process of standardisation, which is then validated first on training exercises and then on operations, the latter being particularly important for this process of institutional isomorphism. For BiH this began first with the deployment of an Explosive Ordnance Device (EOD) unit to the US-led coalition in Iraq in 2005 and continued until the end of 2008. There was also one infantry rotation in 2008 but both missions were ended, so that BiH could begin support of NATO in Afghanistan from 2009. First it was with staff officers to various HQs but then infantry soldiers in combat roles. With the closure of the NATO combat mission in Afghanistan, the AFBiH provided a force protection unit for the US Bagram Base in January 2015 and then a small training and mentoring team in the north of the country.[138] Those units were still in place at the end of 2015.[139]

At the April 2013 PARP assessment meeting held at the NATO HQ in Brussels, the AFBiH operational deployments came in for particular praise from several NATO countries. Whilst the language is normally fairly diplomatic and uncritical at these meetings in Brussels, there did appeared to be a real strength of feeling that Bosnian troops had performed well. Certainly from talking with individual NCOs and officers during visits to BiH over the past few years, the researcher detected through direct observation that there was a strong sense of

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[137] See: NATO, *Interoperability: Connecting NATO Forces*, dated 6 June 2017. Available at: https://www.nato.int/cps/en/natolive/topics_84112.htm [Last accessed on 28 July 2017]

[138] Details taken from: BiH MoD, *Ministry of Defense [sic] and The Armed Forces of Bosnia and Herzegovina Brochure 2015*, *op cit*, pp4-18 and pp44-45.

[139] AFBiH individuals have also been deployed on UN missions such as MINUSMA in Mali and MONUSCO in the DRC.

pride in the capabilities that had been honed to take part in NATO operations and what they had achieved during their deployments. Given that all the deployed units are ethnically mixed, there is some hope for the continued cohesion of the AFBiH.

It is also worth highlighting the excellent performance of the AFBiH during the torrential flooding that occurred in the region in May 2014. Some 750 members of the AFBiH deployed to rescue and evacuate thousands of people, cattle and materials from the flood-affected area. The MoD also drew upon assistance from NATO's Euro-Atlantic Disaster Response Coordination Centre (EADRCC) in Brussels and this helped to ensure a coherent response from the Armed Forces of the neighbouring countries, as well as other NATO and PfP members.[140] It was just such a natural disaster that the AFBiH had been preparing for with PfP colleagues from Serbia and Croatia in recent years. In the aftermath the AFBiH were also to the forefront in reinforcing flood defences, airlifting supplies to hillside villages and opening up transport routes. The performance of the Armed Forces was in stark contrast to the ineptitude of both state and local governments, as bluntly described by the USAID Chief and the US Defence Attaché from the US Embassy in Sarajevo:

> "[W]e have both personally witnessed the same failure of the governments in Bosnia and Herzegovina, at all levels, to serve the needs of citizens. [Meanwhile ...] [t]he Armed Forces of BiH as well as many civil protection personnel, first responders, and volunteers were courageous and active in the immediate aftermath of the flood. The AFBiH have sustained their engagement and are currently conducting demining, clearing roads, and repairing infrastructure where approved."[141]

[140] For example, see: NATO, *EADRCC Report No5*, dated 27 May 2014. Available at: http://www.nato.int/nato_static_fl2014/assets/pdf/pdf_2014_05-BiH-floods/20150302_140519-BiH-floods-05.pdf [Last accessed 14 April 2016].
[141] US Embassy Sarajevo - Ambassador's Blogspot, *Nečuveno/Outrage*, dated 18 September 2014. available at: http://usembassysarajevo.blogspot.co.uk/2014/09/necuvenooutrage_18.html [Last accessed 14 April 2016].

With these words of praise for the professionalism of the AFBiH, it is now time to turn to a detailed discussion and synthesis of the researcher's findings and understanding of the case study.

DISCUSSION AND SYNTHESIS

The structure of this section follows the analytical framework that was developed in Chapter 2. The first section focuses on the context of reform.

The Context of Reform

Any discussion involving SSR needs to start with the context and BiH is no exception. Although it may be slightly artificial due to the blurring of boundaries, it is proposed to examine the context in three parts: historical, drawing upon the overview at the beginning of this Chapter; regional, drawing upon the current political and security environment; and local attitudes and narratives, drawing mainly upon data collected from interviews.

Although considerable time and space in this Chapter has been vested in discussing this context, it is worth remembering that the seeds of BiH's conflict in the 1990s were laid at the end of the Second World War, when "…the regime had built into its functioning a complicated system of checks and balances to ensure that no ethnic group became dominant; in effect, it institutionalized ethnic difference." (Kaldor 2012:37) In the following years of communism political challenges were not permitted and thus a "... nationalist political discourse became the only form of legitimate debate." (*Ibid*:380) It is therefore hardly surprising that ethno-nationalism took centre stage with the death of Tito. This situation was then perpetuated by the DPA.

There is general agreement that DPA was successful in bringing an end to the physical conflict but at the same time it imposed significant barriers to BiH

becoming a functioning state. The political rhetoric of the RS both rejects the existence of the DPA as well as clinging to its statutes in order to maintain a separate identity within a supposedly unitary state. Whilst BiH has all the trappings of statehood with a border, a flag, and an army, it also has two entities and three constituent people[142] and a Byzantine system of devolved authority. As the German philosopher Sloterdijk argues, states are only states as long as they convince themselves that they are.[143] This does not appear to be the case in BiH and it would seem unlikely to be the case in the future. Given this split existence, it is a remarkable achievement that NATO[144] has helped integrate former warring parties into one army with appropriate levels of oversight and accountability. It is clearly not perfect but, as all the interviewees for this case study have unanimously agreed, defence reform in BiH has been the best area of reform undertaken within BiH in the past 20 years.

In the first 'Preliminary Article' of his 'Perpetual Peace' essay, Kant[145] argued that no peace treaty is truly valid if there remain seeds within it for a resumption of hostilities.[146] Self-evidently this is still the case today in BiH with the DPA, so there is a lesson to be learned here for the international community in designing peace agreements that are then intended to lead to liberal statebuilding. Of particular importance is the manner in which such a situation limits the ability of international organisations to influence events on the ground due to the presence of a 'negative peace' and absence of a 'positive peace'.[147] This clearly has implications for NATO's use of conditionality in BiH, which will be dealt with later in this Chapter.[148]

The second part of this section now turns to the regional context. As part of SSR's holistic approach it is entirely consistent to look beyond the borders of a

[142] These peoples do not include the so-called 'others' who are denied participation in the power-sharing arrangements.
[143] As quoted in Ćurak & Turčalo (2012:78)
[144] In partnership with the OHR and OSCE in earlier years.
[145] Kant (2015). Hastie translation of 1891 version in Kindle.
[146] "No conclusion of Peace shall be held to be valid as such, when it has been made with the secret reservation of the material for war." Kant (2015)
[147] Or as Anzulović (1999:174) suggests rather simply: "Peace without justice is unstable".
[148] See section entitled: 'Capacity Building Through Norm Setting and Conditionality'.

country like BiH in order to understand its context. In so doing it is worth noting that NATO has played, and continues to play, a major regional role within the Western Balkans region and not just because it has representation in many of the individual countries. The Alliance is able to bring together former combatants under the NATO umbrella in order to improve regional cooperation and thus security. As Brigadier Hamza Višća stated:

> "If we [... say that ...] we are surrounded by our enemies something is wrong. But if you say, ok, we have from one side, currently we have member of NATO, Croatia. From other side we have Montenegro who will be member of NATO as soon as possible. [...] And from the other side our neighbour Serbia who stated [... its ...] neutrality but their co-operation with NATO is probably bigger than ours. They also, as BiH, are members of Partnership Programme but they have excellent co-operation with NATO, and in that sense, that means that we will have feeling that we are surrounded by our [... allies ...] and joining NATO is giving us the opportunity to develop [...further.]"[149]

Whilst many individuals in BiH may not hold such enlightened views as Višća, it does highlight the beneficial role that NATO can play in helping to heal the legacy of recent conflicts through regional cooperation.[150] The building of professional relations, and a common approach to military doctrine and procedures helps to build a degree of homogeneity that comes close to isomorphism. One such example is the formation of the Peace Support Operations Training Centre (PSOTC) in Sarajevo that draws military staff and students from across the region, as well as deploying mixed mobile training teams across the whole of CEE and South East Europe (SEE).

Dr Damir Kapidžić, a lecturer with the University of Sarajevo, pointed out that the peoples of the Former Yugoslavia were well used to moving around the federation and "... setting up standards for [... the ...] military but also [...] to urge the same standards within the region, is definitely something that I think most

[149] Interview BH9.
[150] eg Interviews BH2 and BH4.

people here would want."[151] These common standards have proved particularly useful in responding to civil emergencies in the Region.[152] During an interview with a former UK Western Balkans Defence Attaché, Lieutenant Colonel Phil Osment, he highlighted the number and value of these exercises involving the various PfP members from the Western Balkans and how the cooperation has contributed to regional stability.[153]

The third part of this section concerns the local attitudes and narratives which shape the context for reform within BiH. Different ethnic groups have different visions for the future and different narratives.[154] There would seem to be four major points to make and they are listed below.

First, as explained in Chapter 2, the initial task of an IGO like NATO (or the EU) in approaching SSR or broader reforms in a country is to understand the local context and local attitudes. Richard Holbrooke's quote at the start of the 'Historical Background' to this chapter is particularly pertinent. The assistance given by the US in brokering the 1994 Washington Treaty that created the Bosniak – Croat Federation, as well as the US funding of the 'train and equip' programme, means that the Bosniaks and Croats are relatively well disposed towards the US (and by extension NATO). In their eyes both have a degree of legitimacy. On the other hand, Bosnian Serbs would claim that only they, of the three constituent peoples, were bombed by NATO and US during the 1992-1995 conflict, and thus were being 'punished' unfairly. (Busterud 2014:5) Furthermore, it was the Serbs who were then bombed by NATO during the Kosovo crisis, not the Kosovo Albanians.[155] There are sound reasons for both

[151] Interview BH17.
[152] Using the armed forces for these types of exercise has proved particularly useful for three main reasons. First, civil emergencies such as flooding, bush fires and earthquakes tend to have cross-border ramifications, so common standards and being able to coordinate across borders has real practical benefits. Second, the common enemy is not another country in the Region but the forces of nature. Third, working with neighbouring armed forces helps build confidence that embeds stability. The policy direction for most of these civil emergency exercises comes directly from HQ NATO Brussels, with the coordination provided by ACO (formerly SHAPE), Mons. NHQSa is a relatively small contributor to such exercises in BiH.
[153] Interview R2.
[154] Interview BH3.
[155] Interview BH1.

these events, but it depends upon which narrative you hear and which you believe. There is much emotion on the part of the Bosnian Serb attitudes, which is entirely understandable, but this influences attitudes and ensures that there is little attempt by the RS or Serbia to analyse critically their own narrative and compare it with others. If RS and Serbian politicians continue to feed their own people this view of history, then it is difficult for a NATO narrative to be heard.

Second, and related to the previous point, "... Serbia's influence on the RS cannot be underestimated ..." (Aybet & Bieber 2011:1932) The RS takes its lead from Belgrade in most areas, but especially with regard to NATO. Although Serbia is a member of PfP, having been offered membership at the same time as BiH in 2006, it has an espoused position of 'neutrality', and thus has indicated it does not wish to become a full member of NATO.[156] By rote the government of the RS under Dodik has adopted the same stance, although as an entity it has no official competence in this area, and furthermore all three members of the Tri-Presidency signed the agreement to join MAP as a precursor to becoming a full member of NATO. (Busterud 2014:6)

When the researcher challenged the BiH Deputy Minister of Foreign Affairs, Ana Trišić Babić, about this paradox in a meeting in London, she responded in a surprisingly positively manner.[157] Not only did she suggest that there was a need and desire for all countries in the region to be part of a strong Alliance and thus BiH's bid to join NATO should come as no surprise. She also indicated that over the next few elections the political landscape in the RS would change, as there would be a new generation of voters who have had no personal experience or memory of the war. And finally, although she is a member of Dodik's SNSD party, she reinforced her point that even the SNSD is changing and that Dodik will not remain in power for ever.[158] How much of this was what

[156] Interviews BH3, BH5N and BH18. It is a position that is, in large measure, taken by countries like Finland and Sweden, so NATO is entirely comfortable with this approach.
[157] Interview BH24.
[158] Although outside the direct time fame of this research it should be noted that Dodik is now under political pressure as a result of the collapse of the Pavlović Bank in the RS. See: Balkans

she felt her audience wanted to hear, and how much was an honest assessment, is difficult to judge. If she is correct in her analysis, then it is just possible that the context might be changing and, if it does, then NATO will need to act swiftly to capitalise.

The third point to note is the influence of Russia on events in BiH and in particular the RS.[159] There are some traditional links with the Serbian population based on a combination of a shared Orthodox religion and a perceived shared Slavic heritage. One interviewee[160] argued that the Russians provided moral and practical support to the RS, not out of principle, but for financial advantage. He cited the examples of the purchase of the oil refinery at Slavonski Brod[161] and a network of fuel stations, as well as asserting their own national interest by preventing another country joining NATO. Some of this influence is also exerted by Russia through its membership of the PIC Steering Board.[162]

The fourth and final point is to return to Professor Azinović's view of society in BiH. A main plank of Serbian mythology has been the view that they are the 'victims' of external forces, be it during Ottoman times or more recently during the late twentieth century. As one interviewee observed, the population of the RS has been fed for years on the propaganda along the lines of "... they're imputing to us a guilt that we have not deserved." This is now firmly embedded in the psyche of the RS citizens, and to overcome this mindset would be extremely difficult.[163] Azinović, however, extrapolates this beyond the Bosnian Serbs to include all of the Bosnian people. He suggests that:

Insight, *Dodik Probe Will Affect Bosnia Elections, Experts Say*, 13 April 2016. Available at: http://www.balkaninsight.com/en/article/investigation-against-dodik-might-influence-local-elections-04-12-2016 [Last accessed 29 April 2016].

[159] Interview BH1.

[160] Although the interviewee was content for the researcher to use the comments on Russia, he specifically requested that they should not be personally attributed. Details will be held by the academic supervisor.

[161] Reuters, 'Russia kindles flame of hope in Bosnia refinery' dated 4 January 2009. See: http://www.reuters.com/article/us-balkans-russia-idUSTRE50400H20090105 [Last accessed 13 May 2014].

[162] Interviews BH17 and BH18.

[163] Interview BH19.

> "... this victimhood mentality, which sort of stipulates that they don't have to earn anything by working harder, excelling, but simply they deserve everything, because they suffered so much during the war, and NATO should turn a blind eye to our inefficiencies and other stuff and simply grant us the membership status because we deserve it. [...] This notion of our internal victimhood simply because of what we are, what we were, what our belief system is, is being reinforced by our political elites."[164]

If he is correct, this social construct would go some way to understanding the lack of progress with reform in the country, so the barrier to progress is not just the *Weltanschauung* of the RS, but the main political parties in the Federation as well. What is perhaps most worrying about the Azinović's analysis is the implication that the BiH authorities are content to continue with an externally-led (eg NATO) reform process without taking the necessary steps themselves to 'own' the process and move it forward.

Political Engagement

At every turn in BiH local politics rears its head and much has already been said in the previous section. There is a general weariness and cynicism about politics in BiH. As Emsad Dizdarević said: "The main obstacles for Bosnia are politics and politicians."[165] The role of Lord Ashdown and the two DRCs in creating pressure for the reform of the military at the critical juncture in 2003 have, however, demonstrated the value of active political engagement. As the former leader of a political party in the UK, Ashdown understood politics and understood power. Jackson and Albrecht (2015:205) also remind us that "SSR has to be based on a thorough understanding of power in post-conflict environments rather than just technical approaches and definitions."

[164] Interview BH22.
[165] Interview BH2.

It would now be appropriate to examine how NATO engages politically with BiH. It is inevitable that it is mainly state-centric as that is the level an IGO such as NATO operates. The IS in NATO HQ Brussels have responsibility for the politico-military aspects for NATO's work including all the PfP tools and programmes.[166] Its personnel take the lead in directly advising BiH in the reform processes both in defence but also in the wider reform efforts.[167] (Morffew 2007:13) The IMS then provide limited military advice in this work. The next HQ down is the strategic level military HQ (Allied Command Operations (ACO), formerly SHAPE) and the next is the operational level HQs (JFC Naples and JFC Brunssum). Both of these HQs are designed to conduct military operations not SSR. They are staffed by military officers and they have very few political staff who understand SSR. As explained in Chapter 4, for some three years (2006-2009) there was a small mixed military-civilian team that had a coordinating role for SSR within the Western Balkans. This was then subsumed into a military cooperation directorate during one of a series of manpower reviews[168] and JFC Naples then lost its expertise in SSR. The next level HQ down is the tactical HQ in BiH, which is NHQSa. One of its major tasks is to:

> "Advise BiH authorities on defence reform, including coordination of Partnership for Peace (PfP) activities, in order to contribute to further Euro-Atlantic integration." [169]

To execute that task the HQ has a small civilian political-military (pol-mil) team, which was originally formed from the personnel that migrated from the OSCE in early 2005. This team advises mainly on the conceptual and wider reforms

[166] See Chapter 4 and Appendix 11 for more details.
[167] Primarily led the PASP division and the DPP division.
[168] ie. One of the periodic bouts of 'downsizing' demanded by the NATO Allies.
[169] See: JFC Naples, *NHQSa*. Available at: http://www.jfcnaples.nato.int/hqsarajevo/about-sarajevo-/nhqsa-mission [Last accessed 17 April 2016]. Note that the task only mentions 'defence reform', although the NATO website describes the task as 'Defence and Security Sector Reform. See: NATO, *Relations with Bosnia Hercegovina*. Available at: https://www.nato.int/cps/en/natolive/topics_49127.htm# [Last accessed 18 July 2017].

necessary to implement the PfP programmes including PARP and IPAP.[170] It is this team that provides the day-to-day contact with the BiH authorities. What it does not do is provide political engagement with respect to SSR at a sufficient senior level. There is a Senior Military Representative (SMR), but the incumbent is mainly confined to dealing with the BiH Minster of Defence and Minister of Security. Previously there had been senior political advisors, such as Dr Raffi Gregorian, who had acted as co-chair of the second DRC, and who provided active political engagement. That post has been amalgamated with branch head of the pol-mil team, which downgrades the level of the political engagement.

Informal authority has been given for NHQSa to brief both PASP and DPP in the HQ NATO Brussels IS but it seems a rather loose arrangement and there is certainly no guidance or SSR framework.[171] This means that there is no *vade mecum* for staff to consult. As Ole Hammer remarked:

> "NATO was absolutely unprepared for this political type of engagement and thought that it could manage through an ordinary military chain of command with military officers that didn't have any, or limited, political experience. And this caused problems throughout the process basically because we were supposed to be reporting through a military chain of command that did not quite like or understand what it was that we were doing in this context." [172]

Busterud (2014:7) observed that: "Some members of the NATO Advisory Team indicated that it would be preferable if NATO HQ Sarajevo reported directly to Brussels, […] where there is more knowledge on defense reform processes." This was a view that was shared by several interviewees with the researcher during his field trips to BiH,[173] although it clearly ran foul of NATO's institutional structure, whereby subordinate military HQs, were always obliged to operate

[170] One of the roles that has proved particularly helpful to the BiH authorities has been the team's lawyer, who has helped draft legislation that met the requirements of NATO integration as set out in the PARP.
[171] Interview BH7-N.
[172] Interview BH23. Currently a member of the EU staff and a former member of NHQSa.
[173] Interviews BH5-N and BH7-N.

through a military chain of command. Turning to rational choice institutionalism, NATO has certain rules in order to create expectations about likely outcomes. Military commanders always take exception to issues being raised directly by a subordinate commander or their staff with a superior HQ, thus leaving the intervening commander 'blind-sided' about the issue. The rules are therefore quite strict to ensure that it does not happen. This institutional stasis does not take into account, however, the political nature of tasks like SSR in BiH or indeed the lack of expertise within the intervening HQs.

Peter Appleby, an OHR official, emphasised the importance of coordinating the political agenda but, understandably, there were difficulties for a small in-country NATO HQ, such as NHQSa, fulfilling that role when dealing with large bilateral actors such as the US or the EU.[174] For NATO this type of political engagement could not come from the in-country NATO HQ and thus needed to come from Brussels. This would seem to have led to a clear and obvious gap in NATO's political engagement with BIH.

Local Ownership

This then brings us to one of the thornier issues in supporting reform in BiH and that is 'local ownership'.[175] Chapter 2 explored the value of using the development of an NSS as a means of helping create local ownership. There were two constraints on BiH in following this particular route. First, there was a priority to reform and reduce the defence sector immediately as part of the DDR process, and second, there was the contested nature of the state. The idea of creating the DRCs therefore seems to have been a practical alternative that focussed mainly on the defence sector but also included issues of governance like oversight and its concomitant legislation. It also allowed NATO HQ Brussels and NHQSa the opportunity to help build local capacity within the

[174] Interview BH8.
[175] The importance of 'local ownership' has been thoroughly exposed in Chapter 3, so only the key texts will be referred to in this section.

defence sector and allow local actors to absorb the changes in a coherent manner.

As discussed earlier, the timing, structure and thrust of the DRCs were clearly initiated by the international community, and thus it was undoubtedly externally driven reform. (Perdan 2008:262) Viewing the process through the lens of Arnstein's ladder of participation (1969:217), it would initially be classified as 'manipulation' or 'therapy' and certainly at the lower scale of ownership. Nonetheless, most of the members of the commissions were local actors and the hard compromises and decisions were made by local politicians, so one could reasonably argue that a degree of local ownership was being created. Arnstein's ladder would seem to suggest, however, that it was still 'placation' (a degree of tokenism) and only at best a degree of 'partnership' (the lowest form of participation). The political impasse in 2006 then changed the political context and put the reform process into reverse. The title of Dr Laurie Nathan's seminal work on local ownership, *No Ownership, No Commitment,* now summaries the essential dilemma for BiH. As ownership has waned, so has commitment to the reform process.

Notwithstanding the strategic difficulties with reform, it is worth stressing the positive role that NATO has played in using the tools of PfP, including PARP and IPAP, to encourage the defence sector to keep moving in a forward direction. Although these tools have a set framework, they are individually tailored to BiH, and have allowed the MoD and AFBiH to continue progressing at a pace dictated by the needs and desires of local actors. Unfortunately, there is a natural limit to the efficacy of these programmes and to progress further BiH would need to move onto the MAP programme. This programme is normally (but not always) considered a step on the path to eventual membership of the Alliance and BiH was offered this in April 2010 subject to certain political conditions being met. This has not yet occurred, so an impasse remains.

If the limitations of Dayton, with its ethnically-based political structure could have been revised in the early years, then it is possible that a state building agenda, including SSR, could have worked. Given the current situation, however, the difficulty of creating local ownership lies:

> "... in the utter absence of domestic consensus on both the need for and the goals of SSR. This lack of [... consensus ...] is well beyond SSR and it is related to the controversial and contested state of Bosnia statehood." (Perdan 2008:268-269)

The ability of NATO to condition or encourage local ownership in BiH would seem to be at an end. NATO HQ Brussels and NHQSa can certainly continue to help the country prepare for NATO membership but local politicians, and perhaps more importantly civil society, need to take ownership of the reforms and their outcomes. It is this lack of civil society participation that hinders ownership and prevents the framework of governance that is in place to function effectively.

Governance

To most people's surprise, NATO has been in the business of governance for many years. As a senior member of the IS in HQ NATO Brussels explained, PfP programmes are essentially "... about governance [...], but we don't dress it up that way."[176] This is the type of 'soft security' assistance that NATO has been providing to BiH from the early days of its presence in the country. NATO has also worked closely with the OSCE and has drawn heavily upon its 'Code of Conduct' (OSCE 1994), which is essentially a governance framework. There was a spread of views amongst the interviewees with respect to the institutional and governance framework within BiH. There are some who claimed that it was in place and was working,[177] others that it was in place but didn't work that

[176] Interview N7A.
[177] For example, Interviews BH1 and BH11.

well,[178] and finally a third group that claimed it was in place but was completely dysfunctional.[179] This divergence is probably not too surprising in that some interviewees were probably part of the system so were relatively sympathetic, others might have been normatively opposed to the system, and others might just have had a lesser understanding of the overall concept.

Turning now to some of the detail, there seems to be a consensus that most of the legal frameworks for governance, accountability and oversight are in place.[180] But, as a member of the Sarajevo the NAT points out, "… it is the implementation, as always, that is the problem."[181] He also highlighted a lack of understanding of what was required:

> "And in terms of the Parliament I don't get the impression that the Parliament in this context, particularly the Defence and Security Committee, really understands how to conduct sensible targeted oversight on a range of issues, because first of all they haven't got that tradition and secondly it's too party political. Therefore, I think the oversight process *of* the Parliament is pretty weak, and the accountability and the sanctions against the executive, or the way that the actual nuts and bolts of how you hold the executives to account are not clearly agreed or understood or in place." (*Ibid*)

This would seem to suggest that, according to Fox's typology (2007:669), that there is some form of institutional accountability but that it is only 'soft' at best with transparency veering towards 'opaque'. It is a view that seems to be echoed by a local security studies institute when it suggested that democratic control and oversight still suffer from "… a lack of capable management [… and a need for …] policy makers to overcome the legacy of undemocratic mentalities and procedures." (DCAF 2012:65) Similarly, many interviewees felt that these governance mechanisms were still not particularly effective or efficient, although those for the security sector were perhaps better than many

[178] For example, Interviews BH4, BH5-N, BH7-N, BH 12, BH17 and BH18.
[179] For example, Interviews BH9, BH10, BH13, BH15 and BH22.
[180] For example, Interview BH5-N, BH7-N and BH9.
[181] Interview BH5-N.

others in the country.[182] Drawing upon Schroeder's typology for hybrid governance (2014), it would seem that there are norms and rules in place, along with appropriate organisation structures, but without the capacity improvements that would occur when the norms are fully internalised. Schroeder termed this situation as 'ceremonial structures', which still fall short of proper governance.

This would seem to be what most interviewees were suggesting with framework laws and structures for good (or good enough) governance broadly in place but without being properly enforced. Indeed, several interviewees suggested that politicians are particularly prominent in attempting to circumvent them.[183] Professor Vlado Azinović was particularly vehement about this last point when he drew upon Émile Durkheim's term *anomie*[184] to describe BiH as a 'society without norms' and that it was:

> "... the last place where you can try to solve a problem by imposing new legislation because the existing legislation and the existing laws are not being obeyed, and it's our political elites that actually encourage this disobedience of law. [...] So it's a gradual, and I'm afraid irreversible, erosion of this society from within."[185]

This rather depressing assessment was followed by an assertion that most reforms in the country had "... failed miserably so we ended up with our Armed Forces and our Ministry of Defence being the only almost unified state structure, something that resembles the way that things should be in a normal society in a functioning state."[186] This last point regarding the AFBiH and MoD would seem to be echoed by the majority of the other interviewees.

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[182] For example, Interview BH4, BH9 and BH13.
[183] For example, Interview BH8, BH10 and BH23.
[184] Durkheim was a French philosopher, sociologist, social psychologist. For more details on *anomie* see: http://www.britannica.com/topic/anomie [Last accessed 15 October 2013].
[185] Interview BH22.
[186] *Ibid*.

Let us move now from the more strategic areas of governance to the tactical level within BiH. Apart from the PfP programmes, it is quite clear that the NATO Building Integrity (BI) programme has also been helpful in focusing on transparency and accountability in the defence and security sectors. This has led to the PSOTC establishing its own course and exporting it as part of its Mobile Training Teams. The new process for the selection and training of officers was specifically designed to create a more transparent and fairer system, and thus for it to have greater legitimacy in the eyes of the people of BiH. That also seems to be progressing well. NHQSa has been involved in briefing the Parliamentary Joint Committee on Defence and Security in BiH, and it too has helped improve transparency within the area of defence reform.[187] There have also been attempts by NATO HQ Brussels and NHQSa to reach out to the broader civil society both to inform it about the benefits of NATO membership and to educate it about civil society's role in overseeing the security sector in a democratic society. Although the results of NATO's efforts have been mixed, it would not take much to see a marked improvement.[188]

Before drawing this discussion to a close it would be worth going back to the World Bank's definition of governance in Chapter 2 and asking if BiH has that level of governance. Notwithstanding its 'ceremonial structures' and the progress made within some parts of the security sector, the answer must be no. Furthermore, NATO does not have the influence, expertise or mandate to support reforms in many areas of governance. The real difficulty for BiH, therefore, is that the implementation of governance arrangements is still subject to undue political pressures, combined with the inherent complexity of many international organisations 'assisting' with the reform process. This leads to a degree of incoherency and, without a holistic approach to tackle all areas of

[187] One word of caution needs to be added here. The 2015 EU Progress Report on BiH suggested that there had been a limited number of meetings of the committee, but the report stated that the committee had been set up in 2015, which is incorrect. See: European Commission, *Bosnia and Herzegovina 2015 Report*, SWD(2015) 214, final date 11 November 2015. Available at: http://ec.europa.eu/enlargement/pdf/key_documents/2015/20151110_report_bosnia_and_herzegovina.pdf [Last accessed 24 November 2015].

[188] This issue is discussed later in this Chapter in the section entitled: 'NATO's Reputation - Soft Power?'

governance, significant failures will continue. In 2006 Bieber (2006:151) suggested that "… governance in Bosnia will remain for the foreseeable future highly complex, and ethnicity will continue to dictate the political agenda throughout the country." In 2013 an OHR official stated in a 'think piece' that:

> "Most problematic are the BiH political class, with whom the IC chooses to engage. It is a quasi-criminal "kleptocracy", which has created its own political reality and sustains a continuation of conflict by perverted political means. Individuals and institutions use and abuse the legitimate instruments of legislation and laws to achieve illegitimate and illegal financial, personal and political advantage."[189]

This hardly seems to suggest a governance framework that is working effectively and efficiently, or one with a reasonable level of accountability and transparency. It also begs the question as to how governance arrangements within the security and defence sector can really work if the context within the wider community and country is as dire as the OHR official suggests.

A Holistic Approach and Cooperation

The last theme in the previous section touched upon the incoherence of international assistance to BiH. Chapter 2 highlighted the need to adopt a holistic and comprehensive approach to SSR due to the interconnected nature of the thematic strands, which included cooperation with other actors. That is not to say that an institution like NATO should attempt to tackle every thematic area within the security sector, but it does mean that there is a need for cooperation with others. As Law points out:

> "Some IGOs are relatively complete in terms of the spectrum of the support they are able to offer to individual countries, from defence reform to judicial reform. The EU and UN fall into this category. NATO, on the other hand, does

[189] Unofficial OHR paper dated 13 May 2013, entitled: *The International Community Approach to BiH.* Copy held by researcher.

not have expertise in areas such as justice and policing, although it does include norms and standards of judicial practice within the PfP framework." (2007:8 – 9)

Bailes (2011:65-80) suggests that the EU is probably the most complete actor in SSR as it can act politically, financially and thematically, but she also acknowledges the need for the EU to cooperate with others. Law produced a table that highlighted the various fields of activity where several SSR-relevant IGOs were active. A modified version is set out below at Table 5.1:

SSR Sectoral Engagements	OECD	UN	EU	OSCE	NATO
(a)	(b)	(c)	(d)	(e)	(f)
Specific post-conflict programmes incl DDR and SALW		√√	√√	√	√√
Gender & security	√	√	√	√	√
Civil society & media capacity building	√	√	√	√	√
Regulation of PSCs				√	
Judicial reform		√√	√√	√√	
Police reform		√√	√√	√√	(√)
Border services reform		√	√	√	√
Intelligence reform		√	√		√√
Defence reform		√	√	√	√√
Good governance		√	√	√	√

Table 5.1: IGO Field Activities

(Source: Law 2007:19 – modified by researcher. Brackets indicate some experience. Double ticks indicate considerable expertise.)

Whilst this table presents an empirical view of the sectoral engagements, it also shows where there is the potential for overlap and duplication. Cooperation is

particularly important in BiH, where there is a plethora of actors, both international and national. It was a view that Paddy Ashdown clearly adhered to, as he was often heard saying that there is little that can be done in statebuilding by one organisation that can't be done better with the cooperation of others.[190] It is a mantra that he attempted to put into practice as High Representative in BiH. Not only did he chair a 'Board of Principals' meeting that COM SFOR (and his successor COM NHQSa) attended,[191] but he was also at pains to socialise in any controversial issue with all the key stakeholders including the Russians on the PIC Steering Board. As a senior member of the OHR staff commented:

> "The High Representative co-ordinates the international community because that is the only thing we have. The EU can't co-ordinate the Americans, certainly not the Russians, and the EU also requires a little bit of co-ordination, if you understand what I'm saying, from time to time. So in that sense it's not a bad thing to have this oddity of the High Representative asking people every second week, asking these various international actors to come together round his table and to debate the issues."

Notwithstanding this good example, several interviewees remarked that in general cooperation between local and international actors with reforms in BiH was relatively disjointed.[192] An official from the Ministry of Security expressed the belief, however, that one of the reasons for the success of defence reform in the country was that the international community were all acting in a coherent and joined up manner.[193] Although as a NATO official wryly remarked, coordinating international actors in BiH was akin to "herding cats."[194]

Technical Issues and Skills

[190] Conversations between the researcher and Ashdown.
[191] Interviews BH5-N, BH7-N and BH13.
[192] Interviews BH1, BH3 and BH8.
[193] Interview BH14.
[194] Interview BH5-N.

It was reassuring from one of the interviewees for this research that in her experience: "... [r]eform is not a technical issue, it is a political issue."[195] She was obviously correct in the salience of politics over technical, but most SSR practitioners would also argue that technical expertise is needed in a range of different areas, from strategy to change management to programming skills. The political and technical skills of the NATO civilian pol-mil team in Sarajevo has been discussed early[196] but it would be worth also examining the other section of NHQSa supporting reform in BiH.

There is a small team of military officers in a technical military advisory team, that is more commonly referred to as the NATO Advisory Team (NAT). The NAT provides technical military advice and support to NHQSa and the BiH defence establishment in areas such as logistics, training and procurement.[197] Both the civilian and the military teams are embedded in the MoD, so the issue of day-to-day liaison with the BiH authorities is greatly eased.[198] The key point to note about the two teams is that their roles are meant to be complementary. As Colonel Ole Fauske, the Deputy Commander of NHQSa in 2013,[199] explained:

> "...the whole scope of this is, of course, to give advice on developing and restructuring the Armed Forces [... and the defence and security sector ...] in such a manner that BiH may, if it so chooses, become a member of NATO."

Unfortunately, the military staff tend to be on short tours (normally in the order of six months) and, as a senior member of the IS pointed out: "It's just the lack of continuity which is such a weakness."[200] A member of the OSCE in BiH went a stage further in his criticism and suggested that whilst the military officers in the NAT may understand their individual military specialisations, they tend to lack a strategic understanding of BiH or even the structures within which they

[195] Interview BH14.
[196] See section entitled: 'Political Engagement', Chapter 5.
[197] NHQSa briefing slides dated 10 March 2006. Copy of slides held by researcher.
[198] The main NHQSa is at Camp Butmir, which is some 30 minute drive from the MoD.
[199] Interview BH21-N.
[200] Interview N6.

are operating. He went on to suggest that NATO's reputation had suffered as a result.[201]

These criticisms were acknowledged by the Deputy Commander of NHQSa,[202] who explained that more effort was spent by nations on just filling the military posts rather than filling them with personnel of the correct quality and capabilities. Another senior military member of the NAT explained that NHQSa would prefer personnel on two year tours but that "... it's very difficult really to send someone for two years living in Butmir without the [sic] family, because this is still considered to be a NATO operation."[203]

This continuity issue has been brought into sharp relief as a US-funded team of retired military officers from MPRI[204] provide similar expertise to the NAT, but they tend to spend longer in post and have a greater depth of experience.[205] This point was reinforced when a senior member of the IS, who has been deeply involved in offering advice to the BiH authorities for a number of years, said:

> "With the rotation of military personnel through that Headquarters and the NATO Advisory Team, the one thing I have been really keen to try and preserve has been the civilian element of it. Essentially the guys that we took over from the OSCE Secretariat in 2005." [206]

When asked why he thought longer tours were so important, Rohan Maxwell, the Senior Political Military Adviser in NHQSa, suggested that:

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[201] Interview BH12. From earlier conversations with the interviewee, it was clear that the civilian staff within NHQSa were much more experienced and for whom he had the upmost respect.
[202] Interview BH21-N.
[203] Interview BH20-N. Camp Butmir is the base camp of NHQSa and EUFOR on the outskirts of Sarajevo, and contains accommodation, feeding and recreation facilities for NATO and EU troops.
[204] This team is also collocated in the MoD.
[205] The team was five strong but they are currently downsizing.
[206] Interview N6.

> "In the SSR role, both relationships and knowledge are important. Advisers need to be in post for at least a year, preferably two years. Even if an adviser is an expert in their field, they will still need contextual experience. NATO need to be prepared to pay for this or not bother [... assisting with SSR]." [207]

This latter point is particularly pertinent, as a senior officer in JFC Naples (the operational superior HQ for NHQSa) had questioned the value of the NHQSa during an interview and contended that it was too large and needed to be reduced.[208] He did acknowledge, however, that the type of skill set in the pol-mil team was not easily produced from the ranks of the NATO military and that there was no formal training required before taking up these types of appointment in reform.[209] This training lacuna is something that NATO could easily resolve.

There is one additional point to make with regard to NHQSa's involvement with the reform process. Unlike most actors in the SSR field such as UNDP or individual countries, NHQSa does not have any funding to carry out specific projects. It either has to recommend projects to in-country embassies, such as Norway,[210] accept project ideas and funding from those embassies (such as the PSOTC and UK),[211] or lobby NATO HQ Brussels to set up some form of trust fund (such as to assist with the demobilisation of soldiers). (Busterud 2014:13)

Capacity Building Through Norm Setting and Conditionality

The key mechanism for NATO's support to capacity building in BiH has been the range of PfP programmes that was outlined earlier.[212] Maxwell and Olsen

[207] Interview BH7-N.
[208] Interestingly there was an attempt to remove the pol-mil team entirely, but the IS inserted a phrase into a document called a Periodic Mission Review (PMR) in 2011 that no changes could be made to the composition of NHQSa without NAC approval. Giving such firm direction to the military chain of command is a highly unusual step for the IS, but it seemed to reflect the strength of feeling in Brussels. See Interviews N7 and BH7-N.
[209] Interview N2.
[210] Interview BH21-N.
[211] Interview BH18.
[212] See section entitled: *'PfP Membership and Standards*', Chapter 5.

neatly summarise the progress that has been made and the challenges to come:

> "Much good work has been done, but if BiH is to achieve that goal, its still-coalescing defence establishment and its other state-level structures must continue to develop capacity and sustain that capacity into the long term. The population as a whole must also develop a realistic understanding of NATO, and to that end one of BiH's IPAP commitments is to inform and educate the population about the PfP and NATO membership, promote the view of NATO membership as a worthwhile goal for the country, and engage in open and frank discussions." (2013:79-80)

The key to unblocking progress would seem to be the resolution of the 'immovable property' issue that was discussed earlier.[213] Rational choice theorists would argue that too many of the political elite and the population in the country, but particularly in the RS, do not recognise the benefits of NATO membership as outweighing the disadvantages, thus conditionality seems to have failed. As Keohane suggests: "… neither domestic institutions nor prospects of economic gain are likely to provide sufficient incentives [… if the…] loyalties of populations [… are …] divided, as in Bosnia, along ethnic or national lines, and no state may command legitimacy." (2002:76) It would be worth developing this theme of conditionality in more detail.

A number of interviewees stressed the importance of conditionality in guiding and pacing the reform process (and not just SSR) in aspirant countries. For example, Lieutenant General Peter Pearson, NATO's Deputy Commander for the Western Balkans and Mediterranean, suggested that:

> "... joining NATO isn't just complying with the military requirements, they're much wider than that, much more in the political and the social arena, and indeed economic, but the direct answer to your question is, without NATO and

[213] See section entitled: '*Immovable Property'*, Chapter 5.

> the EU setting the standards and applying the pressure, I don't think states would reform any way as fast as they currently do." [214]

Whilst conditionality would appear to have worked reasonably well for both the EU and NATO in Eastern Europe, the picture is more mixed in BiH. A number of the interviewees for this research contrasted the relative success of NATO in assisting the country with its defence reform, as compared to the rather sub-optimal achievements of the EU with police reform.[215] An official from the BiH Ministry of Security suggested that there were several reasons for the poor progress with police reform: first, the EU only took over the international lead relatively recently from the UN; secondly, whilst the two armies of BiH had been merged into one under state control, the police had more structures at all levels after the reform than before; and, thirdly, the EU was too timid in applying its conditionality. She summarises this assertion when she stated:

> "You will remember at that time they put three requirements for Police Reform. Firstly that all legislation related to policing in BiH should be on the State level. That was the first. The second, no political interference in the operational work of the Police – and I'm laughing – and the third, the Police regions should be established according to professional standards, that means that these regions could cross the entity lines. [...] But not one of those criteria was fulfilled, could I say, or reached, and from my point of view the Police Reform failed. And the European Union gave up in order to give BiH the possibility to sign an agreement on the Association and Integration of BiH to the European Union in summer 2008."[216]

Aybet and Bieber (2011:1933) suggest that "… a certain structure has to pre-exist at the domestic level that involves domestic or local norms and institutions …" before the processes of conditionality such as emulation, can begin. They

[214] Interview N3.
[215] For example, see interviews: BH2, BH6 and BH17.
[216] Interview BH14. It should be noted that it was the Interim Agreement that came into force in July 2008. The full SAA entered into force on 1 June 2015. See: EC Press Release, *Stabilisation and Association Agreement with Bosnia and Herzegovina Enters into Force Today,* 1 June 2015. Available at: http://europa.eu/rapid/press-release_IP-15-5086_en.htm [Last accessed 13 April 2016].

contend that in post-conflict societies such as BiH, the absence or weakness of these structures at the state level, mean that processes of socialisation and rationalisation are difficult to achieve. They go on to argue that NATO's success in the field of defence reform "… can be attributed to the use of local triggers by a strong international leadership driven by a few skilled international actors." (*Ibid*:1934) What the international actors, including NATO, could not overcome, however, was this weakness in local institutions and a lack of a coherent vision of a unitary state by all political sides. This has resulted in an impasse with the reform process since 2006. The conclusion being that in the absence of political will and weaknesses in certain domestic structures within BiH, attempts at conditionality are unlikely to further the reform process.

Part of the process of conditionality and emulation that was discussed above centres around the 'soft power' of NATO. Keohane and Nye (2012:216) offer the following definition of 'soft power' as being: "the ability to get desired outcomes because others want what you want; it is the ability to achieve desired outcomes through attraction rather than coercion." NATO and its member states have been clear in their desire for BiH to become a stable and fully functioning member of the Euro-Atlantic community but have been less explicit about full membership of the Alliance.[217] Nonetheless, it still wields a degree of 'soft power', albeit, as will be shown below, with some caveats.

As explained earlier in this chapter,[218] NATO is held in high regard by many sections of the population in BiH[219] and this has translated into a 70% majority wishing to join the Alliance.[220] A number of bilateral actors in the country, such as embassy officials, have also offered assistance to the BiH government under

[217] See: NATO, *Relations with Bosnia Hercegovina*. Available at: https://www.nato.int/cps/en/natolive/topics_49127.htm# [Last accessed 18 July 2017].
[218] See earlier section in this Chapter: 'Early Days (1995-2002)'.
[219] For example, Interviews BH1 and BH18.
[220] A 2010 National Democratic Institute survey suggests that more than two thirds (70%) of the BiH population support the accession of the country to NATO, although the figure is much less in the RS than the federation. (Copy of survey held by researcher.) Although NATO membership is not an aspiration for many in the RS, there is still a measure of respect for the organisation.

the aegis of NATO,[221] as it demonstrated that the assistance has been endorsed by the Alliance and was helping with BiH's progress towards NATO membership. NHQSa has been active in its strategic communications to explain the benefits of NATO membership (Busterud 2014:5-6) but, it is worthy of note, not always successfully.

Whilst a few interviewees praised their efforts,[222] a disturbingly high number were more critical. For example, an academic[223] stated that "… it is very difficult to measure the impact on ordinary citizens if we are [*sic*] becoming part of NATO." Whilst a Bosnian Serb officer[224] suggested that the "… campaign for those who are pro-NATO should be more, let's say, active and try to put in simple language and simple words to present to the citizens of BiH what NATO is and what the benefits of joining NATO basically are." Furthermore, a member[225] of a security studies institute opined that "… [w]hen they speak about NATO, especially when they speak about NATO in Republika Srpska, the only thing which connects [... them to ...] NATO and is 1999 and Belgrade. So that's something that you have to explain to people [... as ...] they do not understand much [*sic*]." The Head of small NGO and university lecturer[226] drew attention to who portrayed NATO's narrative when he said that "... in the past [… NATO …] also engaged local PR Agencies and they tasked them with devising a PR campaign in order to explain the importance of all these issues, but unfortunately these attempts fell short of achieving anything substantial. Maybe it was because of the choice of these Agencies, the lack of expertise, the lack of understanding, the focus of local partners simply on generating income out of these campaigns without producing much result, but we [*his own NGO*] are trying to do it in a more subtle way."

[221] For example, the creation of the PSOTC and the new AFBiH officer selection process.
[222] For example, Interview BH21-N
[223] Interview BH3.
[224] Interview BH4.
[225] Interview BH2.
[226] Interview BH22.

There has been a need for the researcher to interpret some of these quite polite remarks in order to extract real meaning. The general thrust of all the comments, however, is that NATO does have a good general reputation but it is not always sensitive to the context within BiH and could be more skilful in delivering its narrative. It is a view that would seem to be endorsed by a NHQSa official, who said:

> "The average NATO civilian or military official is not going to be able to tell you very convincingly what the advantages of NATO membership are. It's [...] such an obvious question you never ask it. So there is a lack of information, a lack of understanding, certainly here in the public, at the political level, and even actually within parts of NATO that should know better perhaps."[227]

This is clearly a lesson that NATO should recognise and address both in Brussels and in the in-country HQs like NHQSa if it is to use its reputation for 'soft power' in assisting BiH with its capacity building. As Aybet and Bieber (2011:1933) also commented, however, there are some difficult institutional issues within the post-conflict countries such as BiH, which inhibit its ability to rationalise and socialise the SSR process.

SUMMARY

The historical context and the legacy of the conflict in BiH continue to be powerful shapers of the country and its security sector. Keohane described the situation in BiH where neighbours fought against neighbours as a classic Hobbesian dilemma with the country still showing the scars of the conflict's brutality. Although there is general agreement that the DPA was successful in bringing an end to the physical conflict, at the same time it imposed significant barriers to BiH becoming a fully functioning state. These barriers included a freezing of attitudes since the conflict that would seem to have rewarded those politicians and their political parties who started the war, as well as the creation

[227] Interview BH5-N.

of weak state institutions, that inhibit its ability to rationalise and socialise the SSR and wider reform process and, finally, a political system that has a Byzantine-like complexity and which seems to have encouraged corruption and patronage. Perhaps the most challenging barrier today, however, is the political rhetoric of the RS both rejects the existence of the DPA and cling to its statutes in order to maintain a separate identity within a supposedly unitary state.

NATO played a major role in the stabilisation of the country, but it was not until the arrival of Lord Ashdown that real progress was made in reform of the security and military arenas. A combination of three events created a window of opportunity for Ashdown to press for change at what would be best described as a 'critical juncture' in BiH's history. By a combination of power and politics he was able to unfreeze the situation within the security sector and create a single state-level MoD and a joint set of armed forces. The role of Lord Ashdown and the two DRCs in creating pressure for the reform of the military demonstrated the value of active political engagement. As the former leader of a political party in the UK, Ashdown understood politics and understood power.

The timing, structure and thrust of the DRCs were clearly initiated by the international community, and thus it was undoubtedly externally driven reform and using Arnstein's ladder of participation (1969:217), it was certainly at the lower scale of ownership. Nonetheless, the analysis suggests that as the majority of the commission members were local actors, and the hard compromises and decisions were made by local politicians, there was a degree of local ownership to the process.

Defence and SSR are core elements of the cooperation between NATO and BiH. These have been conducted through a range of PfP programmes which have been both powerful and successful drivers of reform. NHQSa has a small civilian political-military (pol-mil) team, which advises mainly on the conceptual and wider reforms necessary to implement the PfP programmes including PARP. Although these tools have a set framework, they are individually tailored

to BiH, and have allowed the MoD and AFBiH to continue progressing at a pace dictated by the needs and desires of local actors. In general, NATO has thus had a significant measure of success in supporting SSR in BiH.

Nonetheless, some other areas of reform have still had mixed results. In large part this would seem to have been due to the post-conflict context in BiH. The establishing of local ownership is beset by a lack of domestic consensus over BiH statehood. Whilst there has been progress with elements of governance, there is still too much in the way of 'ceremonial structures'. According to Fox's typology (2007:669), there is a degree of institutional accountability, but it would seem to be 'soft accountability' at best with transparency veering towards the 'opaque'. The comments from both local actors and international actors regarding broader societal governance would suggest that the situation is poor. NATO's attempts to cooperate with others has perhaps been better than most but overall the picture remains disjointed. The technical support provided by NATO seems sound, although it is clear that the expertise in SSR and the local knowledge evident in the civilian pol-mil team is far superior to that of the military staff, who are mainly on short tours of duty and do not necessarily have the correct SSR skill-set. In terms of NATO's support to capacity building within BiH, there has been a relative degree of success, but the political impasse imposed by a lack of resolution on 'immoveable property' has applied the brakes to progress. Thus, it would seem, the tool of conditionality can only go so far in the absence of political will.

There are, however, many areas of the security sector where other organisations have been assisting the authorities with reform, such as the EU with police reform, where very little progress has been made. NATO HQ Brussels has also been active in assisting the MoD and other ministries with tackling corruption through the BI programme and there have been bilateral programmes that have had a significant impact on transparency, such as the selection and training of officers in the AFBiH.

There have been some clumsy attempts at 'selling' NATO within BiH that lacked both contextual sensitivity as well as skill in delivering a coherent narrative. Furthermore, it is clear that engagement in such a highly political issue as SSR needs more attention paid to training individuals from NATO who are placed into this environment. A NATO SSR policy and framework would also greatly assist in shaping training standards for advisors as well as providing them with a *vade mecum* for reference. This would also ensure that the military chain of command had a better understanding of the reform processes involved. The balance of evidence from the research conducted in BiH, however, is that NATO's involvement in the country has been good in parts, with the reforms in the defence arena being the most successful in the country's troubled history.

There would thus seem to be a number of areas where NATO should be able to improve its overall assistance to BiH. It would now be interesting to look at a second case study at Chapter 6 in order to see if there are any parallels with BiH and whether this experience could inform NATO's future engagements.

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CHAPTER 6

CASE STUDY - KOSOVO

> "The Kosovo myth acquired the central position in the spiritual life of the Serbian intelligentsia in the nineteenth century. It lived outside poetry: among politicians, the military, scientists, professors, artists, clergy, physicians, merchants, tradesmen, and especially among college and high school students. It gradually became an integral part of [... the Serbian...] national ideology."
>
> Vidovdan and the Holy Cross (*Vidovdan i Časni Krst*) - Miodrag Popović[1]

INTRODUCTION

The BiH case study at Chapter 5 drew upon the broad historical canvas of the Region in Chapter 1, and so will this case study. Its purpose is to provide deeper knowledge and a better understanding of events in Kosovo from 1995 to 2015 and to show how NATO has supported SSR in the country from 1999. It is particularly important for that understanding to have an appreciation of the symbolism of Kosovo in Serbian ideology and mythology, as the quote above from Popović seeks to illustrate. It is also worth making the distinction now that Kosovo did not have a security sector once Serbian forces were expelled in 1999, so NATO's role should be more accurately described as helping to 'develop' a security sector.

The Chapter is broken down into the same six broad sections as the BiH case study. First, there is a brief introduction. Second, an historical and broadly chronological background of Kosovo and its relationship with Serbia from 1995 to 2015 is presented that provides a narrative description, as well as some analysis, in order to define the context of the country. Third, an analysis is conducted of the current political and security situation in Kosovo that draws

[1] As quoted in Anzulović (1999:81)

upon all available data, including primary research, and seeks to provide the more detailed context for development of the security sector. Fourth, a detailed exposition and analysis of NATO's role in the development of a security sector in Kosovo is carried out that also takes into account the interaction with other stakeholders. The analysis draws heavily upon primary research material. Some key issues are developed, not so much for generalising beyond the individual case, as for understanding the complexities and meanings inherent in it. Fifth, the findings and understanding about the case are then discussed and synthesised thematically in this section. This will then allow the knowledge of the phenomenon to be considered more broadly in a comparative analysis of the cross-data collected from the two case studies in Chapter 7. Finally, there is a concluding summary on the Kosovo case study.

HISTORICAL BACKGROUND[2]

The Country, Peoples and Neighbours

Kosovo is a small landlocked country in the middle of the Western Balkans, with some 2 million inhabitants.[3] As the map 6.1 below shows, it is bounded by three countries of the former Yugoslavia (Macedonia, Montenegro and Serbia), as well as Albania. The landmass is roughly half the size of Wales and can

[2] Several of the paragraphs that follow in this Chapter draw, in whole or in part, upon articles that have been previously published by the researcher: Blease (2010a), (2010b), (2011), (2013) and (2014).

[3] This figure is a rough estimate. Population censuses in the Western Balkans are often used as a political tool in order to illustrate one point or another. The last relatively reliable census in Kosovo was in 1981 and gave the population as 1.58 million of whom 77.4% were Kosovo-Albanians and 14.9% were Serbs and Montenegrins. The next census was in 1991 and was boycotted by the Kosovo-Albanians, although the estimate of the population was nearly 2 million with 82.2% Kosovo-Albanians. In 2003 UN estimated the same size population but an increasing percentage of Kosovo-Albanians. (Judah 2008:1-2) Finally, in 2011 a Kosovo national census was conducted, which excluded northern Kosovo (north of the River Ibar and which is mainly inhabited by Kosovo Serbs) and was partially boycotted by Serb and Roma communities in southern Kosovo. (CIA World Factbook, dated 29 February 2016. Available at: https://www.cia.gov/library/publications/the-world-factbook/geos/kv.html) [Last accessed 22 April 2016].) A 2015 rule of thumb breakdown of the population by various international agencies suggest that the total population has shrunk and that ethnic balance is around 92% Kosovo-Albanian, 4% Serbs and 4% others (Roma, Ashkali, Bosniak, Gorani, Turkish, and Egyptian). For example, see: Index Mundi, *Kosovo Demographics Profile 2014*. Available at: http://www.indexmundi.com/kosovo/demographics_profile.html [Last accessed 22 April 2016].

often be found under a brown smog generated by the hugely inefficient power stations[4] to the west of the capital. The countryside is a splendid mixture of hills and plains with huge gorges in the former, carved by fast flowing rivers, and fertile agricultural land in the latter.

Map 6.1: Kosovo (1999-2015)

(Source: Wikimedia. Available at: https://upload.wikimedia.org/wikipedia/commons/3/37/Kosovo-map.gif [Last accessed 19 August 2016].)

Although it is one of the poorest countries in Europe, the capital is home to an eclectic and garish collection of modern glass-plated buildings and streets that are filled with large four wheel drive vehicles with tinted windows. It is a bustling metropolis with enormous energy. On the other hand one can see in the countryside a young man ploughing a field with a wooden plough pulled by a mal-nourished horse. The only difference between this scene and one six

[4] A legacy of burning brown coal.

centuries earlier, is that the Kosovar in the twenty-first century can be seen with a mobile phone glued to his ear, talking animatedly, as he follows his horse.[5]

Kosovo is now dominated by its majority ethnic Albanian population. This has occurred through the demographic changes of a high birth rate, a steady outflow of ethnic Serbs for economic reasons, and a period of ethnic cleansing of Serbs through both intimidation and retribution, when displaced Kosovars returned to their homes at the end of the 1999 conflict in Kosovo. It should be noted, however, that Kosovo's Albanians are just part of a larger ethnic grouping that extends to all four of its neighbours.[6] Although the majority of Albanians profess to be Muslims, they have traditionally tended to wear their religion lightly, as many of them have originated from the liberal Bektashi order that held sway in Albania for many years.[7] There is also a large community of Albanian Catholics across the region, perhaps the most famous individual being Mother Theresa,[8] who was born in Skopje, Macedonia. It can therefore be argued that religion does not define an Albanian. Neither is it where an Albanian lives. Indeed, as explained in Chapter 1, historical borders tended not to be contiguous with homogenous ethnicity, so it is little surprise that current borders suffer from similar problems. The key, according to Judah (2008:9-11), is the Albanian language:

> "So, while language and a shared identity define who is an Albanian, be they from Kosovo or from Albania from anywhere else, it is religion that has defined the other nations of the Balkans."

[5] A memorable image that presented itself to the researcher during a visit to Kosovo in the spring of 2013.
[6] For example, the north western region of Macedonia, the Preševo Valley in Serbia, the Sandžak region of Montenegro and the whole of Albania.
[7] The Bektashi had close ties with the Janissary corps, the elite infantry of the Ottoman empire. The sect was more relaxed than most orthodox Muslims and acted as a bridge religion for those Christians converting to Islam during the years of Ottoman rule in the Balkans. (A conversation that the researcher had with the elders of the Arabati Baba Tekḱe, Tetovo, Macedonia in May 2004.)
[8] Mother Theresa was the founder of a Roman Catholic missionary order of women dedicated to caring for the poor.

In line with the quotation above, the Serbs draw heavily upon their religion and as well as events surrounding the battle of Kosovo Polje in 1389. (Judah (2009:28-32)[9] These events have a meaning for ordinary Serbs today that bears some similarity to the Battle of the Boyne for Ulster Unionists. The mystical link between the Serbian Orthodox church and the 'holy' land of 'Kosovo and Metohija', is well documented[10] and is a powerful propaganda tool for Serb nationalism.[11] Given that Serbs, like the Albanians, are spread throughout the region[12] this nationalism and religious fervour acts as a glue to bind them together as a people. Vuk Jeremić, the former Serbian Foreign Minister, articulated these ideas in an interview in 2010 when he stated: "Kosovo has deep historical and spiritual meaning for the people of Serbia. In a certain sense, it is our Jerusalem."[13] This worldview clearly has had an impact on events from 1995 to 2015, as the next few sections seek to illustrate.

Precursor to Conflict: 1995-1997

Chapter 1 referred to the way that Milošević had stripped both Kosovo and Vojvodina of their autonomous status in 1989. The impact in Kosovo was that the Serbs:

> "... increasingly played the nationalist card in the province, expelling Albanian directors of hospitals, schools, state enterprises, and the more lucrative stores in

[9] Some Kosovo Albanian commentators, such as the well-regarded Shpend Bursani, complain that most books on Kosovo 'waste' too much time discussing the events of 1389 and its impact on current events. He has a point but then he does not view matters through a Serbian lens, so perhaps he underestimates its importance. See: Prishtina Insight, *How the West Failed Kosovo*, dated 22 April 2016. Available at: http://prishtinainsight.com/west-failed-kosovo/ [Last accessed 23 April 2016].
[10] The 'heavenly state' of Serbia is well covered by: Judah (2009:43-47). The religious symbolism and link to Kosovo is referred to by: Glenny (1999:11), Cohen (2001:4), Judah (2008:18-29) and Blease (2011:180-181).
[11] An example of the depth of this feeling can be found on the Serbian website, 'Crucified Kosovo and Metohija', which is available at: http://www.crucified-kosovo.eu/, [Last accessed 10 April 2011].
[12] For example, in BiH, Croatia, Kosovo, Macedonia, Montenegro, and Serbia.
[13] The interview is at: Der Spiegel, *Kosovo is Our Jerusalem*, dated 31 May 2010. Available at: http://www.spiegel.de/international/europe/0,1518,697725,00.html [Last accessed on 15 April 2011].

> cities, firing the bulk of the Albanian workforce and barring Albanian children from Serb-run schools in what became a kind of apartheid." (Pond 2006:11)[14]

Whilst the lead-in to the conflict in Kosovo may not have been as bloody as that in BiH, many would argue that it was every bit as predictable. (Malcolm 1998:353-356[15], Mazower 2001:140 & Weller 2008:14) By 1995 hundreds of thousands of Kosovo Albanians had emigrated in what was termed 'silent cleansing' (*Ibid*:12) and a parallel power structure was operating in the Province that included a shadow president, in the form of Ibrahim Rugova. His party, the Democratic League of Kosova (LDK), advocated non-violence based upon the model of the Polish Solidarity movement. At the time this seemed to be a rational choice, given the carnage in other parts of the former Yugoslavia, but the signing of the DPA in 1995 radically changed the perspective within the province. Despite a growing expectation within Kosovo that the province would be included as part of the peace process, the treaty was silent on the subject. Ker-Lindsay suggests that the international community were more concerned at the time about keeping Milošević engaged in the Bosnian peace process than they were in recognising Kosovo's claim to independence.[16] This disappointed many Kosovo Albanians and "... severely undermined Rugova's credibility." (2009:143-144)

The Kosovo Liberation Army (KLA)[17] was founded in 1993 but it took time to be embraced by the local population. (Judah 2008:79) By the Spring of 1996 members of the KLA grew progressively more weary of Rugova's non-violent approach and it began to increase the scale and frequency of attacks on the Serbian security forces in Kosovo. By the start of 1998, with "... an

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[14] The removal of ethnic Albanians from positions of authority (or in some cases pressurising them to resign) was particularly pertinent in the security sector as evinced in Interviews K7 (ex-Federal Police) and K18 (ex-JNA).

[15] Although Malcolm did not have the benefit of hindsight, as he published his book before the 1999 crisis, his pessimistic portrayal of events in Kosovo left the reader in little doubt as to the potential outcome.

[16] There are many commentators that suggest that Dayton was a missed opportunity for resolving the Kosovo issue, but, as one might expect, Richard Holbrooke, the US Envoy who oversaw the DPA, firmly refutes this suggestion and argues that resolving the conflict in BiH was the priority. (King & Mason 2006:41)

[17] In Albanian: *Ushtria Çlirimtare e Kosovës (UÇK).*

inexhaustible supply of weapons ..." (*Ibid*:36) from neighbouring Albania,[18] the crisis had deepened significantly with KLA attacks being met with Serbian reprisals and mounting casualties on both sides.[19]

Conflict and Intervention: 1998-1999

In early 1998 Germany warned of an increasing flow of Kosovo Albanian refugees from Kosovo into the EU. (Gallagher 2005:37) At the same time the US Envoy entrusted with overseeing the implementation of the DPA, Richard Gelbard, made a series of confusing statements regarding US policy towards Kosovo and the human rights violations that were taking place in the country. This was compounded by remarks in February 1998 by labelling the KLA as 'terrorists' as a result of their attacks on Serb forces.[20] His comments might initially have had resonance in some quarters but within a few weeks, on 5 March 1998, the Serb special police attacked the family compound of Adem Jashari, a founder member of the KLA, and killed over 80 ethnic Albanians.

This single event had a considerable impact on Western policy on Kosovo, particularly upon key members of the US establishment. (Allin 2002:50-52) Gelbard quickly found that he was at odds with both the US Secretary of State, Madeleine Albright, a former refugee herself, and General Wes Clark, who had been a key participant at Dayton and by now was NATO's Supreme Allied Commander (SACEUR). Clark was absolutely certain that Milošević could only be stopped by force. (Halberstam 2001:396)

Whilst Western policy was clearly shifting, so were attitudes within Kosovo, where the violence at the Jashari compound "... turned an armed resistance movement into a Province-wide insurrection." (Allin 2002:51) The attempts the

[18] The 1997 crisis in Albania occurred as a result of a collapsed 'ponzi' scheme and resulted in over 700,000 weapons being looted from Albanian army and police armouries. For more details see Vickers & Pettifer (2006) and Őzerdem (2003:79).
[19] For a more detailed treatment of the crisis see: Malcolm (1998:652-659).
[20] BBC World News, *The KLA - Terrorists or Freedom Fighters?,* dated 28 June 1998. Available at: http://news.bbc.co.uk/1/hi/world/europe/121818.stm [Last accessed 10 May 2016].

Serbian authorities to snuff out the insurrection began to change course and areas within Kosovo began to be 'cleansed' of Kosovo Albanians. The tide of refugees eventually forced NATO Allies into a consensus over action. In October 1998 authority was given for SACEUR to launch air attacks against the former Yugoslavia should the human rights violations continue.

In the event the international community reached agreement to launch an OSCE-led Kosovo Verification Mission (KVM)[21] in the country as an alternative to air strikes. Over the winter of 1998-1999 a degree of stability was brought to the Province, which allowed peace talks to take place in Rambouillet, near Paris in early 1999. After the failure of the talks, Serbian security forces resumed ethnic cleansing and a growing tide of refugees fled Kosovo. My March 1999 some seven hundred thousand people had migrated to the neighbouring countries of Macedonia, Albania and Montenegro. As Christopher Hill, the US envoy, said: “We did not go to war over Rambouillet. We went to war because [Milošević] started ethnic cleansing. He sent in 40,000 troops to intimidate the Albanians and to intimidate us.”[22]

Consensus for action was reached by the Allies and NATO began to launch air strikes against targets in the SFRY in the evening of 24 March 1999. It was anticipated that Milošević would quickly capitulate but, in the event, he did not, and the bombing continued for a further 11 weeks. (Brudenell 2006) Dana Allin (2002:59-60) makes an interesting point when he indicates that Allies had only reached agreement "... to threaten airstrikes and, if necessary, to carry out that threat ..." but there seemed to be little thought beyond that stage and certainly precious little appetite for a ground offensive.

Throughout the early Summer of 1999 there was frenetic diplomatic activity as attempts were made to broker a peace deal that would end the conflict. Eventually an agreement was arranged by the then President Martti Ahtisaari of

[21] Some background on the Genesis and role of the KVM and its controversial head, William Walker, can be found in Gallagher (2005:42-3).
[22] Briefing by Christopher Hill in Ohrid, Macedonia, July 1999 and as quoted in: Allin (2002:60).

Finland on behalf of the EU, the then US Deputy Secretary Of State, Strobe Talbot, on behalf of the US, and the former Prime Minister of the Russian Federation, Viktor Chernomyrdin, on behalf of Russia.[23] As the UN was still not engaged in the process at his stage, it was agreed internationally via the G8. The deal was inevitably a compromise for all sides and it included the deployment into Kosovo of a NATO peacekeeping force under a UN mandate. It also involved the withdrawal of all Serbian security forces, and the detail for this was agreed between NATO and Serbian military commanders at Kumanovo, Macedonia, on 9 June 1999. NATO halted the air strikes the following day with the passing of UN Security Council Resolution 1244 (1999)[24] in New York.[25] The UNSCR effectively made Kosovo a "... ward of the international community." (King & Mason 2006:49) NATO deployed a 30,000 strong force into Kosovo on 12 June 1999.[26]

International Administration - Initial Progress and Then Stagnation: 1999-2005

On the same day that the newly created NATO Kosovo Force (KFOR) entered Kosovo, a steady stream of euphoric Kosovar refugees followed them and then rapidly overtook the more cautious advance by the ground troops. The euphoria did not last long as many refugees found both their houses and farmland laid to waste. Retribution against former Serb neighbours was swift "... the tide of revenge went more or less unchecked in a security vacuum that NATO military forces were unable to fill." (Allin 2002:71) the NATO troops were

[23] This process is discussed further in the section entitled: 'UNOSEK and the Road to Independence'.
[24] For ease of reading 'UN Security Council Resolution 1244 (1999)' will hereafter be referred to as UNSCR 1244. (UN 1999)
[25] The decision to delay resolution of Kosovo's future status, which was enshrined in UNSCR 1244, continues to haunt the international community in Kosovo. This issue will be discussed in more detail later in this Chapter.
[26] A most curious scenario took place on the same day when Russian military forces left BiH, drove through Serbia and entered Kosovo, eventually ending up at Slatina Airport, near Pristina. There was much controversy over who in Moscow issued the order for such a move, or whether there was a breakdown in civil control of the Russian military. This is not for discussion here but it is possible that that the Russian military's nationalistic perspective had an impact on the Ahtisaari-led future status talks in 2006, which is discussed later in this Chapter. For details of the Slatina Airport events see Clark (2002:376-403).

trained and organised for a worst case scenario, and that was to fight against the Serbian security forces. They were less well-prepared for peacekeeping duties and in particular for taking responsibility for rule of law. The international civilian presence (UN Mission in Kosovo - UNMIK) was charged with maintaining civil law and order.[27] It soon became clear, however, that the international community's problems with law and order had only just begun with the successful deployment of troops into Kosovo. This issue will be returned to several times in this Chapter.

Whilst KFOR arrived in Kosovo in some force, the same could not be said of UNMIK. The new Special Representative of the UN Secretary General (SRSG), Sérgio Vieira de Mello, had little time to prepare his mission and arrived in Pristina with just eight fellow UN officials.[28] Tony Welch, the head of the UK's DFID mission in Kosovo, loaned de Mello some vehicles, radios and some office space in order to get them started. As Welch explains:

> "By the end of June 1999 the number of UN officials had grown to 24 and by September to several hundred. Few of the officials had any knowledge of Kosovo and it was to be a year before any appreciable numbers of professionals were deployed. Kosovo was not, at this stage, a popular mission. The lack of electricity, heating, water, food and fuel made Kosovo an unattractive place for UN functionaries. By June 2000 UNMIK had only 292 professional staff against an authorised strength of 435." (Welch 2011:156)

De Mello was also only a temporary appointee. The former Head of Médecins Sans Frontières, Bernard Kouchner, was soon selected for the permanent post of SRSG and he arrived in Kosovo on 15 July 1999. Kouchner brought

[27] Notwithstanding the point made above, in Paragraph 9d of UNSCR 1244, there is a clause that authorises KFOR to ensure "... public safety and order until the international civilian presence can take responsibility for this task." Unfortunately, individual national attitudes to the military taking on policing-type roles varied considerably within KFOR's contributing nations. Many troops were also just not trained for these tasks - the UK contribution being an exception with their experience in Northern Ireland. As a result KFOR struggled to enforce any semblance of the rule of law. (UN 1999:Paragraph 9d)

[28] Although the possibility of setting up a UN mission in Kosovo had been mooted for some time in New York, DPKO had been constrained in active planning by the structure and processes of the organisation.

admirable energy and charisma to the country but his background was almost exclusively in humanitarian crises, and a grasp of "... Realpolitik and logistics seemed less important ..." to him. (King & Mason 2006:51) Notwithstanding the shortage of staff and very real lack of expertise, the initial humanitarian challenges were broadly met in the early stages of the UNMIK mission.

Unfortunately, there were still significant gaps in rule of law, administration and an absence of support in a whole range of other areas. Perhaps the most notable lacuna in the first few months of UNMIK's tenure was the lack of assistance to the local population whose homes had been damaged or destroyed in the conflict. The KLA filled this vacuum in the lead-in to the winter of 1999 by using their contacts in both Albania and Macedonia to secure building materials and then organising ex-KLA members to help villagers rebuild and repair houses for the local population. By this single act of assistance, the leadership of the KLA demonstrated where the power lay in post-conflict Kosovo. (Welch 2011:155-157)

The rule of law challenges in Kosovo were, for example, far greater than those experienced in BiH. In the absence of any form of police system, KFOR was often expected to "... substitute for civilian law enforcement and criminal justice agencies ..." (Friesendorf 2010:93) These difficulties were exacerbated by the lack of a clear legal framework and the time it took to train local candidates to be police officers. This created a vacuum that allowed criminal gangs (a number made up of ex-KLA members) to flourish and establish networks across Kosovo and beyond. There can be little doubt that in any post-conflict situation, a fundamental aspect of establishing a 'safe and secure environment' must be to focus on human security, so that people feel secure. The main tool for achieving that situation is establishing the rule of law. It is a lesson that NATO still has to learn.

One of the great successes of UNMIK during these early years was, paradoxically, also one of its greatest failures. The first steps towards

constitutional democracy including the setting up of the Constitutional Framework and the Provisional Institutions of Self-Government (PISG), was a considerable feat of politics, persuasion and, in some cases, coercion. Minority rights were preserved and the gender balance of elected representatives was of a higher standard than most Western countries. Unfortunately, a combination of a closed list system of choosing candidates for the Assembly and making Kosovo a single electoral district, meant that local politicians did not necessarily have to interact with the population, but they did have to pay tribute to party leaders who held enormous power. This power, however, did not extend to ultimate authority in any given policy area, as that was still vested in the SRSG with UNSCR 1244 retaining primacy. This emasculation rankled with local politicians and sowed the seeds for growing frustrations, as well as feeding the political culture of nepotism and corruption. (King & Mason 2006:116-127 & 233-236)

In the original Rambouillet Agreement[29] there was a mechanism for addressing the status issue after a period of three years.[30] In line with that intent, the UN Secretary General directed the SRSG begin a process in April 2002 to develop a set of benchmarks that would measure progress in Kosovo.[31] The then SRSG, Michael Steiner, had already transferred a number of responsibilities to local institutions but he clearly believe that the time for launching a discussion on status had not yet been reached. (Weller 2008b:18) It took until the end of 2003 before the eight detailed benchmarks were agreed between both UNMIK and representatives of the PISG in Kosovo. Within the international community this benchmarking became known as the 'standards before status' policy. Unfortunately, the staff in UNMIK drew up a Kosovo Standards Implementation

[29] Although termed an 'agreement', it was of course not formally agreed by both parties.
[30] UNSCR 1244 directs the civilian presence (ie UNMIK) to facilitate "... a political process designed to determine Kosovo's future status, taking into account the Rambouillet accords." (UN 1999)
[31] For more background on this issue see: *Report of the Secretary-General on the United Nations interim Administration Mission in Kosovo*, UN Doc S/2002/436, dated 22 April 2002. Available at: http://www.unmikonline.org/SGReports/S-2002-436.pdf [Last accessed 10 May 2016].

Plan that seemed to confuse its own authors and certainly confused the local actors. (*Ibid*:19)

In a typical demonstration of mixed messages, the UN suggested that the status issue would only be addressed once there had been a positive review of the benchmarking standards. It was estimated that a first opportunity for such a review could occur in mid-2005,[32] but, by implication, could be some unspecified date well into the future. Many in Kosovo strongly believed that the country should have gained its independence in 1999 but were content to use the initial three-year period of grace to create the institutions of government. They were not content, however, for UNMIK, which they perceived as both 'corrupt and indecisive', to deny them their sovereignty on arbitrary grounds. (International Commission on the Balkans 2005:19-20) As Hehir reports: "Frustration boiled over in March 2004, when province-wide riots orchestrated by the Kosovo Albanians resulted in nineteen deaths and the deliberate targeting of UN and NATO personnel." (2010:10)

A number of Serbs, Ashkali and Roma were driven from their homes. "The overall commander of NATO forces in the Western Balkans, Admiral 'Grog' Johnson, took the unprecedented step of likening the Kosovo Albanian actions to 'ethnic cleansing'.[33] The ICG also made the quite credible claim that on "... the night of 17 March UNMIK and KFOR came within a hair's breadth of losing Kosovo." (ICG 2008:19)[34] The weakness of both UNMIK and KFOR was clear for all to see and as a result the UN Secretary General launched a review of the entire operation in Kosovo led by the seasoned diplomat, Kai Eide, who at that time was Norway's representative at NATO.

[32] At the end of 2003 the routine UNMIK quarterly reports were re-structured in order to reflect the detail of the benchmarks. See: *Report of the Secretary-General on the United Nations interim Administration Mission in Kosovo*, UN Doc S/2004/71 dated 26 January 2004. Available at: http://www.unmikonline.org/SGReports/S-2004-71.pdf [Last accessed 10 May 2016].
[33] See: BBC, *Kosovo Clashes 'Ethnic Cleansing'*, 20 March 2004. Available at: http://news.bbc.co.uk/1/hi/world/europe/3551571.stm [Last accessed 10 May 2011].
[34] The ICG report was a damning one on the background to the riots and the calamitous responses of both UNMIK and KFOR, and is worth a full read.

Although Eide's 2004 report to the UN Secretary-General focused on strengthening the capacity of UNMIK and the PISG, he drew attention to the need act in order to avoid dangerous stagnation. The report provided sufficient hope for the future that following year he was asked to return to Kosovo and focus on the possibility of launching discussions on future status. (Weller 2008B:20-21) Eide duly produced a second report which recommended that the start of talks on the future status of Kosovo:

> "There will not be any good moment for addressing Kosovo's future status. It will continue to be a highly sensitive political issue. Nevertheless, an overall assessment leads to the conclusion that the time has come to commence this process. The political process, which is now under way, must continue. Based on a comprehensive strategy, it has provided Kosovo with a political perspective. Kosovo having moved from stagnation to expectation, stagnation cannot again be allowed to take hold." [35]

In October 2005 the Security Council accepted Eide's recommendation and Kofi Annan approached the veteran negotiator and former Finnish President, Martti Ahtisaari, to be his Special Envoy for the Future Status of Kosovo. His appointment was confirmed later that month[36] and guiding principles for the conduct of the status talks were issued by the Contact Group to Ahtisaari in November 2005. [37] The next section analyses the role of the Special Envoy and his team.

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[35] See: UN Security Council S/2005/635 letter dated 7 October 2005, Annex: *A Comprehensive Review of the Situation in Kosovo.* Available at: http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Kos%20S2005%20635.pdf [Last accessed 13 March 2014].

[36] Ahtisaari's appointment was confirmed to the UN Security Council on 31 October 2006. See: Letter from the UN Secretary General to the President of the Security Council, *UN Doc S/2005/708 dated 31 October 2005*. Available at: http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2005/708 [Last accessed 10 May 2016].

[37] Although the talks were nominally UN-led, *force majeure* ensured that the Contact Group (comprising France, Germany, Italy, the Russian Federation, the UK and the US) were also 'closely engaged' in the process . See Letter from the President of the Security Council addressed to the UN Secretary General, *UN Doc S/2005/709 dated 10 November 2005*. Available at: http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2005/709 [Last accessed 10 May 2016].

UNOSEK and the Road to Independence: 2006-2008 [38]

The United Nations Office for the Special Envoy for the Future Status of Kosovo (UNOSEK) set up offices in Vienna[39] in early 2006. By then Ahtisaari had been able to assimilate the details of the Contact Group's guiding principles and produced a strategy for the talks that were in line with those principles. The Contact Group also provided a number of discussion papers to Ahtisaari in order to stimulate (and influence) thinking on a range of issues from decentralisation to security.[40] Most of these originated from one or other of the QUINT[41] members and then passed to Russia and the two associate members of the Contact Group, NATO and the EU, for comment.[42]

The contrasting, and publicly articulated, views of Belgrade and Pristina presented Ahtisaari with a dilemma. If he, or his team of officials, presented subjects for discussion in the early stages that pre-determined what the outcome of the discussions would be (i.e. independence or some form of autonomy within Serbia), it would be likely that there would be no discussion at all. In order to get the discussions going and to create some form of dynamic between the two parties, he resolved to tackle less contentious issues that were not dependent upon the final outcome of the talks.[43] These were termed 'status neutral' issues and included subjects such as levels of decentralisation within Kosovo, economic issues and minority rights. Whilst there were criticisms of Ahtisaari's approach to the talks (Weller 2009:33; Ker-Lindsay 2012:110-113), there was some convergence between the two parties on specific points. In a

[38] Details of UNOSEK's approach to the security sector and NATO's role in the process is covered later in the Chapter. See section entitled: 'NATO Support to UNOSEK: 2006-2007'.
[39] The Austrian government offered accommodation for the team in Vienna, as well as the services of seasoned diplomat, Albert Rohan, as deputy to Ahtisaari. Vienna was also a useful transport hub for both Pristina and Belgrade, as well as Brussels and New York.
[40] The researcher has retained a number of these paper.
[41] The QUINT is a consultative group of five western countries (France, Germany, Italy, the UK and the USA) that seek to coordinate the approaches to a range of international issues.
[42] Given the anticipated scale of roles that might be performed by the EU and NATO in a post-status of Kosovo, it was deemed prudent to include representatives of these organisations in the discussions. This became known as the 'Kosovo Contact Group Plus' configuration
[43] This approach was not laid down but was the essence of the verbal briefings that the Special Envoy gave to his team, as recalled by the researcher and published in Blease (2013:9).

presentation to NATO's North Atlantic Council on 17 May 2006, Ahtisaari highlighted some of these points but he was quite clear that "... NATO must be prepared for Kosovo's possible future independence."[44]

During the spring and summer of 2006 UNOSEK engaged in a number of desultory talks with the parties both on a bilateral and a trilateral basis. The Special Envoy also sought to engage with a number of key decision makers around the world in order to shape the expectation for Kosovo's independence. Notwithstanding Serbia's belief that ultimately Russia would veto any suggestion of independence when the matter came to the Security Council, Russia's engagement remained relatively positive until September 2006. It was around that time that both the Russian Foreign Minister, Sergey Lavrov, and the then Russian Prime Minister, Vladimir Putin, became more closely involved in the status process. (Merikallo & Ruakanen 2015:356-359)

It was also in September 2006 that a Finnish film entitled 'The Fourth Chair' was released in Helsinki, first in Finnish and then later that month in English. The film[45] sought to document events leading up to the intervention in Kosovo by NATO in 1999 and the subsequent removal of all Serb security forces. Whilst broadly accurate in an historical sense, it used the narrative of the three main negotiators to tell the story: the then President Martti Ahtisaari of Finland on behalf of the EU, the then US Deputy Secretary Of State, Strobe Talbot, on behalf of the US, and the former Prime Minister of the Russian Federation, Viktor Chernomyrdin, on behalf of Russia.[46] The film also showed a sharp

[44] The quote is contained in Ahtisaari's presentation to the NAC. A copy is held by the researcher. (Kosovo LNO Folder 10.)
[45] The film was originally issued in DVD format and then subsequently was available on the internet. The only traces left are: the Finnish 'Making Movies' website available at: http://mamo.fi/the-fourth-chair/ [Last accessed 15 May 2016]; and half-way through PdF document available at: http://ses.fi/fileadmin/dokumentit/Finnish_Documentary_Films_2006.pdf [Last accessed 15 May 2016].
[46] At all their meetings the three negotiators left an empty fourth chair at the table in order to remind themselves of the absent fourth negotiator, Slobodan Milošević, and hence the title of the film: 'The Fourth Chair'. Background information: The New York Times, *Crisis In The Balkans: The Envoy Trying To Find Way Out, But The Key Is Missing,* dated 29 May 1999. Available at: http://www.nytimes.com/1999/05/29/world/crisis-in-the-balkans-the-envoy-trying-to-find-way-out-but-the-key-is-missing.html [Last accessed 15 May 2016].

contrast between opinions in 1999 of the Yeltsin-led politicians in Moscow and the Russian military. In the film Colonel General Leonid Ivashov expressed his opinion that the Russian military considered Chernomyrdin as a 'traitor' for taking part in the deal and he claimed that the military were close to mutiny over the issue. He also highlighted the 'shame' that was felt over Russia's 'weakness' during this period.[47] [48]

Whilst the direct involvement of Putin and Lavrov in the Ahtisaari-led process is widely acknowledged as the main barrier to progress in Kosovo's final status,[49] a deeper analysis might hint at an additional factor in the Russian thinking. At the end of August 2006 UNOSEK shared a basic text for proposals for the future status. At the subsequent Contact Group meeting with UNOSEK on 1 September 2006, the leader of the Russian delegation indicated that the text acted as a solid base from which future agreement could be reached. He went on to suggest that the early period of sovereignty for Kosovo should be limited – effectively making Kosovo an international protectorate - but warned against any use of the word 'independence'.[50] This was worlds apart from the Russian position when Ahtisaari briefed the UN Security Council on 22 September 2006, which had hardened considerably.[51] Whilst it is possible that the leader of the Russian delegation in the Contact Group had not fully cleared his lines with Moscow, this would seem an unlikely proposition. One therefore needs to look closely at what happened in the intervening period. Indeed, there were several members of the UNOSEK team who had expressed concern that the subject matter in 'The Fourth Chair' and, more importantly, the tone of the film, might prove offensive to the Russian leadership at this rather delicate stage in the status negotiations. There is no way to prove that the film had such an effect on developments but it is certainly a point worth pondering.

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[47] Researcher's notes after watching the film contained in his personal notebook from 14 September 2006. (Personal notebook 6 August 2006 to 7 December 2006.)
[48] This disconnect between politicians and military would seem to be best evinced by the Russian military's dash to Slatina Airfield near Pristina on 12 June 1999. Full details can be found in Clark (2002:376-403).
[49] For example, see Weller (2009:35-39).
[50] Researcher's notes from his attendance at the meeting on 1 September 2006, contained in his personal notebook for that date. (Personal notebook 6 August 2006 to 7 December 2006.)
[51] NATO Report 22-29 September 2006. Copy held by researcher (LNO File).

As the negotiations regarding final status stumbled on to early 2007, mainly due to a perceived need not to interfere with hastily called elections in Serbia, a near final text for the Comprehensive Proposals was shared with both sides in February 2007.[52] It was the first time that the parties had seen the consolidated text and also the first time that it was clear that Ahtisaari was proposing a form of independence, although the word never appeared in the main body of the proposals. Neither of the parties was completely content and the contrasting worldviews from Pristina and Belgrade then set the scene for a complete impasse in February 2007. As Weller (2008B:54) explains "... compromises on status would be politically very costly to those who made them [... and ...] neither side was willing or able to depart from its perceived popular mandate." In his covering letter to the Comprehensive Proposals that he forwarded to the UN in March 2007, Ahtisaari summarised the situation as follows:

> "For over a year, I have led the political process envisaged in resolution 1244 (1999), exhausting every possible avenue to achieve a negotiated settlement. ***The irreconcilable positions of the parties have made that goal unattainable*.** Nevertheless, after almost eight years of United Nations administration, Kosovo's status must be urgently resolved. My recommendation of independence, supervised initially by the international community, takes into account Kosovo's recent history, the realities of Kosovo today and the need for political and economic stability in Kosovo." (UN 2007b. Emphasis added.)

The UN Security Council debated the proposals but there were irreconcilable differences in the Council with Russia (and to a lesser extent China) opposed to any solution that was not agreed by both parties. Over the next year there were a series of initiatives sponsored by both the UN and the EU to break that deadlock but all to no avail. In the absence of progress through the UN, a group of twenty-five states formed an unofficial International Steering Group (ISG) that supported independence for Kosovo. This still left the rather thorny

[52] The basic text was available from late Autumn 2006 but continued to be refined until March 2007. Various drafts held by researcher.

issue, however, of how to finesse that independence and this is covered in the next section.

'Coordinated Independence' & Implementation of the Ahtisaari Plan - ICO & EULEX: 2008-2015

If the Comprehensive Proposals had been endorsed by the Security Council, they would have allowed for a transfer of authority from UNMIK to Kosovo and for the country (ultimately) to be fully responsible for its own affairs. An International Civilian Representative (ICR), supported by an International Civilian Office (ICO), would then have assisted the Kosovo authorities with this transition.[53] An EU-led rule of law mission, operating under a Common Security and Defence Policy (CSDP) mandate, would have a similar role to the ICO in the rule of law arena, except that it would also have a partial executive and substitution role.[54] It was proposed that NATO would then perform the role of the International Military Presence (IMP) with responsibility for providing a 'safe and secure environment' until such time as Kosovo's institutions were capable of assuming that responsibility.[55] These arrangements would have allowed UNMIK to complete its mission and be closed down along with UNSCR 1244.

The reality, however, was that without a UNSCR Ahtisaari's carefully crafted framework had no legal context for implementation. This was where the US government then seized the initiative. It was the US that had orchestrated the setting up of the ISG and began finessing Kosovo's independence.[56] Colonel Bryan Watters was Commander of the British Forces in Kosovo during the first half of 2008 and he stated during an interview that:

[53] Article 11 of the 'Comprehensive Proposals'.
[54] Article 12 of the 'Comprehensive Proposals'.
[55] Article 13 of the 'Comprehensive Proposals'.
[56] For an example of one of the US public statements, see: Reuters, *Rice presses for action on Kosovo independence*, dated 17 July 2007. Available at: http://www.reuters.com/article/us-kosovo-usa-idUSN1939683920070719 [Last accessed 24 May 2016].

> "I think it would be fair to say that the leading nation was America and it was the American Ambassador to Kosovo who you could describe as being in the [...] driving seat for the detail and the top level decision making as to when Kosovo would become an independent nation state." [57]

This clearly had implications for both KFOR and NATO as a whole. Events in the political arena put COMKFOR in a particularly difficult position. Watters went on to voice the impression that:

> "The political line of operation appeared to be more isolated than I've known in the past on a campaign from the military line of operation. And again this was axiomatic possibly of the structure of KFOR within NATO and the American State Department's particular agenda at that time." [58]

After a frenetic period of negotiation, including splits within the member states of the EU[59], the US persuaded the Kosovo Government to agree to incorporate all of Ahtisaari's 'Comprehensive Proposals' into the law of the land (a combination of the constitution and primary legislation). This, they argued, would lead to the formal creation of the ISG, whose mission was to oversee the ICO mandate of full implementation of Ahtisaari's plan and the 'supervised independence' recommended to the UN by Ahtisaari. It would also necessitate the Kosovo Government inviting both the EULEX rule of law mission to take up its role and NATO to act as the IMP. These various issues were put in place and on 17 February 2008 the 'coordinated independence' of Kosovo was formally announced along with a verbal commitment to accept fully the detail of

[57] Interview K16.
[58] *Ibid.*
[59] For example, see: The Guardian, *Spain Exposes EU Split as US Leads Recognition*, dated 19 February 2008. Available at: http://www.theguardian.com/world/2008/feb/19/kosovo.serbia [Last accessed 24 May 2016].

the Ahtisaari Plan.[60] Within a few days over forty countries had recognised Kosovo as an independent sovereign state. [61] [62]

Serbia's political response to the declaration was to launch a frenetic round of diplomatic activity to persuade other countries not to recognise Kosovo. Its diplomacy had some effect with four members of NATO joining the non-recognising group. The EU became a significant participant in this debate and eventually, using the promise of possible EU membership, it was able to facilitate direct talks between Belgrade and Pristina. These began on 8 March 2011.[63] After ten difficult rounds of direct talks this then led to the signing of a formal bilateral agreement on 19 April 2013 between Serbia and Kosovo to normalise relations.[64] [65]

Carnegie Scholar and former EU Director of the Balkans Task Force, Stefan Lehne,[66] suggested that the agreement was a good deal for both sides and that "... EU conditionality proved to be an essential catalyst in the negotiations." He did caution, however, that "[c]ontinued active EU involvement will also be crucial to turn the short agreement on principles into a practical reality."[67] The view within Kosovo was rather more nuanced and certainly more sceptical. It ranged

[60] For the declaration see: Republic of Kosovo Assembly, *Kosovo Declaration of Independence*, dated 17 February 2008. Available at: http://www.assembly-kosova.org/?cid=2,128,1635 [Last accessed 23 June 2016].
[61] As at 31 December 2015 some 111 out of 193 members of the UN have recognised Kosovo. See: http://www.kosovothanksyou.com/ [Last accessed 25 May 2016].
[62] The definition of statehood can be found in the Montevideo Convention available at: http://www.cfr.org/sovereignty/montevideo-convention-rights-duties-states/p15897 [Last accessed 12 March 2016]. Professor James Sweeney also drew the researcher's attention to customary international law as a test for statehood. Interview K11.
[63] South East European Times, *Belgrade, Pristina Launch New Talks*, dated 9 March 2011. Available at: http://www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/features/2011/03/09/feature-02 [Last accessed 10 April 2011].
[64] EEAS, *Serbia and Kosovo Reach Landmark Deal,* dated 19 April 2013. Available at: http://eeas.europa.eu/top_stories/2013/190413__eu-facilitated_dialogue_en.htm [Last accessed 25 May 2016].
[65] The reward for signing the agreement was that the Council of the EU agreed to signing Serbia's SAA on 28 June 2013 and Kosovo's SAA on 22 October 2015.
[66] For full biography see: http://carnegieeurope.eu/experts/?fa=634 [Last accessed 25 May 2016]. He was also Ahtisaari's main senior level EU interlocutor during the UNOSEK talks.
[67] Carnegie Europe, *Serbia-Kosovo Deal Should Boost the EU's Western Balkans Policy*, dated 23 April 2013. Available at: http://carnegieeurope.eu/2013/04/23/serbia-kosovo-agreement-should-reenergize-eu-s-western-balkans-policy [Last accessed 25 May 2016].

from a belief that Serbia had eventually achieved sovereignty over Northern Kosovo[68] to a belief that the EU created the deal in order to ensure that Serbia would be allowed to join the organisation.[69] The latter view seemed to be echoed by an EU official who had lived in Kosovo for a number of years, when he suggested that "... the general perception [...within Kosovo...] is that Serbia's participation is a ruse to achieve candidate status."[70] Notwithstanding these ongoing concerns, progress continues to be made, although as Burin Ramadani, an AAK Member of the Kosovo Parliament, emphasises, it is the implementation of the detail of the agreement that is the key.[71] [72]

The mandates of the various elements of the international community supporting the newly independent government of Kosovo proved contentious from the very start. Far from handing over its responsibilities and departing the country quietly, UNMIK continued its existence in a semi-comatose state, with residual responsibilities that were insisted upon by those countries which did not recognise Kosovo's independence.[73] *Prima facie* the ICO had the simplest task but it was also complicated by the link to the EU and the rather improbable situation where the ICR was also the EUSR. As Professor James Sweeney of Lancaster University commented to the researcher:

> "It was only the ICO [...] which was not status neutral, the rest were and indeed still are, although quite how that works in practice is beyond me." [74]

His bemusement centred on the fact that as the head of the ICO, the ICR, was committed to supporting the independence of Kosovo, whilst as EUSR, the same person was committed to being status neutral. It was a challenge that the ICR drew attention to in his *fin de siècle* document, *State Building and Exit*

[68] Interview K3.
[69] Interview K14.
[70] Interview R3.
[71] Interview K1.
[72] The talks have continued beyond 2015.
[73] Apart from Russia, these countries included four NATO members (Greece, Romania, Slovakia and Spain) and, within the EU, the same four countries but with the addition of Cyprus.
[74] Interview K11.

(2012:57-64), although, ever the diplomat, Peter Feith declined to describe the situation as the imbroglio that everyone else recognised it to be.

Notwithstanding one notable lapse (Qehaja *et al* 2013), the ICO was able to assist the Kosovo government in large measure and then successfully draw down in September 2012. There was a recognition that much work remained to be done but that it could only be achieved once the full panoply of powers were in the hands of the Kosovo government. In terms of statebuilding the ICO was able to argue coherently that it had been invited to complete a specific mandate, had completed that work and then departed. (ICO 2012) [75] The same could not be said of EULEX.

The Genesis of the EULEX mission was troubled from the start. During the UNOSEK discussions, the EU Planning Team (EUPT) pushed hard for a rule of law international element, separate from the ICO, and directly overseen by the EU. This was then reflected in the 'Comprehensive Proposals', although it caused some angst amongst the UNOSEK team, particularly with respect to the intrusive nature of its mandate. What was clear, however, is that the EU was more concerned about the local judiciary than the local police, and were determined to retain some executive powers.[76]

The mandate for EULEX was adopted in February 2008[77] and the proposed international staff consisted mainly of judges, prosecutors, police officers and customs officials.[78] It was a highly ambitious project for the EU but, as the ICG

[75] With the departure of the ICO, the international community had effectively said that Kosovo had implemented the provisions of the Ahtisaari Plan, albeit that there were still some outstanding. The Kosovo Government then amended the constitution and remove all limitations imposed by the plan and the superiority of the 'Comprehensive Proposals'. (Muharremi 2016:7) This has implications for NATO, which will be discussed later in the Chapter in the section entitled: 'Kosovo Armed Forces'.
[76] NATO to NATO e-mail dated 31 July 2006. Copy held by researcher (Kosovo File - Prelim Ideas).
[77] Council Joint Action 2008/124/CFSP of 4 February 2008. See: EULEX Kosovo, *Council Joint Action 2008/124/CFSP*. Available at: http://www.eulex-kosovo.eu/eul/repository/docs/WEJointActionEULEX_EN.pdf [Last accessed 28 April 2016].
[78] EEAS, *Common Security and Defence Policy - EULEX Kosovo - EU Rule of Law Mission in Kosovo*, last updated October 2014. Available at:

pointed out, personnel only began to deploy in numbers in September 2008. (ICG 2008:i) To make matters worse, the main shortfalls were in the judicial area where the EU had most concerns. Krennar Gashi, a policy analyst and former investigative report, highlighted the absurdity of this situation:

> "Kosovo has a good Police Service, solid Police Service. Very incompetent and weak prosecution and corrupt courts. And then in 2008 we have the EU sending two thousand international staff out of which like one thousand three hundred were police officers, and only [...] 40 were judges and 20 prosecutors." [79]

The difficulty of attracting judicial staff, as well as confusion over the mission's mandate, has been accurately captured by Martina Spernbauer. (2010a, 2010b)[80] She also highlighted the challenges of coordinating the various elements of the mission, not least the balance between the 'Mentoring, Monitoring and Advising (MMA)' role and the executive function. (2010:33-34) During the period 2012-2014 the EU gradually refocused on three areas: rule of law matters in the North[81], the Pristina-Belgrade Dialogue and the potential that Kosovo would be granted an SAA.[82] A EULEX official described this change in focus to the researcher:

> "So now the focus is really on the Judiciary. The Judiciary why? Because it is really a weak link and it is crucial for fighting organised crime and corruption which is top priority within the EU [... T]he reason being mainly that lessons have been learned from previous enlargement rounds and especially the experience with Bulgaria and Romania, and to a certain extent with Croatia." [83]

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http://www.eeas.europa.eu/archives/csdp/missions-and-operations/eulex-kosovo/pdf/factsheet_eulex_kosovo_en.pdf [Last accessed 23 March 2016].

[79] Interview K6.

[80] Spernbauer argues that EULEX should be more accurately termed an SSR and peacebuilding mission. (2010A:5)

[81] Described by Dr Bryan Watters as an 'ungoverned space' in Interview K16.

[82] These issues are touched upon on the EULEX website, available at: http://www.eulex-kosovo.eu/?page=2,44,197 [Last accessed 26 May 2016]. In the event Serbia was granted an SAA in 2013 and Kosovo in 2015.

[83] Interview K4.

One particular criticism of EULEX has been its lack of presence in the North of Kosovo.[84] A particularly damning ICG report suggested: "As long as Serbian money sustains their way of life, Northerners have little incentive to compromise." (ICG 2011:i) Harland, a former UN official, suggests that:

> "As the UN drew down in the north, and its international ally, the International Civilian Office, failed to replace it, leaving a vacuum which was often (if sometimes reluctantly) filled by Serbia. When Pristina blocked agreement on the operation of courts in the north, Serbia appointed judges on its own. When the flow of electricity from the south to the north was cut, Belgrade connected the north to the Serbian grid. When Pristina dismantled Serb mobile-phone networks south of the Ibar, the Serbs dismantled Albanian networks in the North." (2010:93)

It has therefore been clear that some form of normalisation was required between the authorities in Kosovo and Serbia, and, as discussed earlier, the 19 April 2013 agreement between the two governments has been the catalyst for that change. Results are still mixed, as EULEX and UNMIK, as well as the local media report.[85]

Although the link between EULEX and UNMIK that still comes in for considerable criticism within Kosovo, the reality is that EULEX needed some form of legal context for its deployment. As an official from EULEX explained:

> "[As...] the Ahtisaari Plan was not endorsed by the Security Council there was the question, of how to deploy EULEX in a status neutral manner. The only way to do it was to hook it to UNMIK ..." [86]

[84] For example Interview K3, although he does qualify his criticism in that he recognises that EULEX still has to operate under a restrictive UNSCR 1244 mandate.
[85] For example, see: UNSC (S/2015/833), *Report of the Secretary-General of the United Nations Interim Administration in Kosovo*, dated 3 November 2015; and a more practical report on the agreement recognising each respective car licences and car insurances: Prishtina Insight, *A Fool's Errand: A Kosovar's Journey through Serbian borders*, dated 22 April 2016. Available at: http://prishtinainsight.com/fools-errand-mag/ [Last accessed 12 May 2016].
[86] Interview K4.

Nonetheless, security analyst Abit Hoxha highlighted a general perception in Kosovo that when UNMIK handed over the majority of its responsibilities to the ICO and EULEX, there was no real change: paraphrasing what he said 'same international community; same old interfering in Kosovo's internal affairs; same old nanny state by people who didn't understand what is happening on the ground.'[87] Whilst the sentiment may be somewhat harsh, it seems to reflect a growing sense of frustration with the international community that was shared amongst a number of interviewees for this research.[88]

Allegations of corruption within EULEX have also served to damage its reputation[89] and have hastened the call for termination of its mandate. In June 2015 a Civil Society Dialogue Network (CSDN) meeting was organized by European Peacebuilding Liaison Office (EPLO) in Brussels to discuss EULEX's mandate, which is due to expire in June 2016. Whilst there was a broad acknowledgement of some positive trends, several delegates criticised the lack of progress in a number of areas, including against high-level corruption, and the lack of a clear exit strategy.[90] Professor Jean-Paul Jacque, the author of the March 2015 report[91] into the corruption allegations in EULEX, voiced an opinion that withdrawal would be premature and that the mandate should be extended.[92]

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[87] Interview K5.
[88] For example, Interviews K6, K14 and K20.
[89] It is not proposed to go through these various allegations, although to gain a sense of the issues it is worth noting two opinion pieces written by Andrea Capussela, a former official in the ICO, who has been strident in his criticism of EULEX over the past few years. For the first, see: The Guardian, *EULEX in Kosovo: a shining symbol of incompetence*, dated 9 April 2011, available at: http://www.theguardian.com/commentisfree/2011/apr/09/eulex-kosovo-eu-mission [Last accessed 4 February 2016]. In addition, in the aftermath of the publication of a report in March 2015 into the allegations against EULEX by Jean-Paul Jacque, a French law professor, see the second opinion piece: EU Observer, *Eulex report exposes EU failure in Kosovo,* dated 16 April 2015. Available at: https://euobserver.com/opinion/128343 [Last accessed 26 May 2016].
[90] Although the EPLO meeting was supposedly held under Chatham House Rules, a synopsis of the discussion appeared in: Kosovo 2.0, *What Next For EULEX*, dated 15 January 2016. Available at: http://www.kosovotwopointzero.com/en/article/2025/what-next-for-eulex [Last accessed 26 May 2016].
[91] The entire Jacque report is available at: http://www.eeas.europa.eu/statements-eeas/docs/150331_jacque-report_en.pdf [Last accessed 26 May 2016].
[92] Although outside the timeframe of this thesis, it is worth noting that in 2016 the Kosovar Government asked for EULEX's mandate to be extended to 2018 but be limited to MMA. After a degree of prevarication by the Kosovar Assembly, it was then approved by the legislature.

This section has sought to provide the historical background to Kosovo with some analysis of both events and the actions of the international community, including NATO. More detailed analysis of NATO's role follows in the next two sections.

CURRENT POLITICAL AND SECURITY SITUATION WITHIN KOSOVO

In order to set the context for NATO's support to the security sector in Kosovo, this section examines the current political and security situation within the country. As explained earlier in the Chapter, there was a complete absence of security institutions (less for the KLA) when NATO forces entered Pristina in 1999. The presence of a guerrilla army and a wave of retribution against certain elements of the population, but mainly against ethnic Serbs, created an unstable and uncertain security situation. This reinforced the view within the international community that there was a need for the development of home-grown security institutions that could take responsibility for law and order. This began with a DDR process led by NATO.

In the ensuing sixteen years there have been occasional spikes of violence such as the riots in 2004 and, as touched upon earlier in this Chapter, a simmering friction either side of the River Ibar to the north of the country. All of these have had a political dimension. One of the spikes was just after Kosovo's 'coordinated independence'. In early March 2008 there were a series of events that culminated in the takeover of the Mitroviča Court House by a group of Serbs. Although the occupation was initially peaceful, attempts by the UNMIK police and KFOR on 17 March 2008 to clear the building, resulted in a bout of 'aggravated rioting'. As Watters explained:

See, Balkans Insight, *Kosovo Assembly Extends EULEX Mandate*, dated 17 June 2016. Available at: http://www.balkaninsight.com/en/article/kosovo-assembly-extends-eluex-mandate-06-17-2016 [Last accessed 21 June 2016].

> "... by aggravated rioting I mean stone-throwing, petrol-bomb throwing, steel ball-bearing catapults, AK 47s fired directly and indirectly at KFOR and the UN and hand grenades thrown at the KFOR and UN, UNMIK policemen, resulting in a series of casualties." [93]

The casualties included an UNMIK policeman, who died from a grenade wound, five UNMIK policemen with life threatening injuries and eleven French KFOR troops with serious injuries. The number of Kosovo Serb casualties is unknown but estimated in excess of 70. Although the Court House was successfully re-taken and order restored, some commentators and scholars have suggested that this was a botched operation by the international community. This perspective was encouraged by the Belgrade government, who drew attention to the fact that it was the anniversary of the 2004 riots. (Tansey & Zaum 2009:15-17; Gow 2009:247-249)

In reality it was an operation that had to succeed, no matter the cost. Larry Rossin, the Deputy SRSG, was unequivocal in his accusation that Serbia was behind the violence. He claimed that several members of the Serbian Ministry of Interior Police (MUP) had been inside the Court House.[94] He also stated that:

> "It is clear to us that the violence ... was orchestrated. [...] We've never had what we could consider a clear and unambiguous denunciation of this kind of violence from the ministers or indeed any other Belgrade government official that I can think of." [95]

[93] Interview K16.
[94] B92, *UNMIK, KFOR: MUP Officers were in K. Mitrovica Court*, dated 18 March 2008. Available at: https://listserv.buffalo.edu/cgi-bin/wa?A3=ind0803&L=JUSTWATCH-L&E=0&P=3212550&B=--&T=TEXT%2FPLAIN;%20charset=US-ASCII&header=1 [Last accessed 30 May 2016].
[95] The Independent, *Military Law Imposed on Divided Kosovo Town After Serb Rioting*, dated 18 March 2008. Available at: http://www.independent.co.uk/news/world/europe/military-law-imposed-on-divided-kosovo-town-after-serb-rioting-797805.html [Last accessed 30 May 2016].

When interviewed Watters[96] confirmed that there had been prior intelligence of a coordinated plan by Belgrade to partition Kosovo along the line of the River Ibar:

> "... there was the emergence of a Serbian plan to disrupt, destabilise and then annex Northern Kosovo, and there were a series of actions taken to take over the key Government buildings in Mitroviča, and the penultimate building to be taken over was the Court House, and the final building would be the Police Station. [...] And KFOR decided that it would prevent [...] Kosovan Serbs supported by Serbia actually, to carry out their plan, and this involved an operation to take back the Court House from the Serbian protesters and then reinforce the Police Station. And there was also a coincidental visit by a senior Serbian politician on the day that the Police Station would surrender to Serbian control, and this [... would have ...] coincided also with the disruption of the Kosovan customs posts in the North of the country. So essentially north of the River there would [...] be absolutely no Kosovan governmental presence and so in the wake of a failure, as Serbia would argue, of the Kosovan Government to exercise its mandate, in order to protect the people of Northern Kosovo, the Government of Serbia would assume a mandate to govern that area."[97] [98]

NATO authorities also summoned its ORF to reinforce KFOR's presence north of the River Ibar. It was clear that Belgrade was surprised at the robust response, not least because it undermined its claim that only the Belgrade government could provide rule of law to that area. Nonetheless, Serbia still wrote to the UN later that month effectively requesting partitioning along ethnic

[96] Aside from being Commander of British Forces in Kosovo at the time, Watters was also Chief of Joint Intelligence Operations for KFOR, reporting directly to COMKFOR.
[97] Interview K16.
[98] It is not entirely clear who the 'senior Serbian politician' was but it seems likely that it would have been Slobodan Samardžić, who was the Serbian Minister for Kosovo at the time and who did visit Mitroviča the day after the riots.

lines,[99] although there was no recognition of Kosovo's independence as that would have meant Serbia forfeiting its claim to all the territory of the Province.[100]

Events surrounding the recapture of the Court House in March 2008 still have resonance for the current[101] political and security situation in Kosovo for three main reasons. First, the robustness of the KFOR response demonstrated to the Belgrade government that they could not impose partition by force. Ironically this led to serious concerns by US officials about the possibility of partition by stealth, as evinced by a 2010 leaked US diplomatic telegram.[102] Second, a combination of US diplomatic pressure and the EU's role in brokering the Pristina-Belgrade dialogue continues to modify Serbia's approach in the North. The threat of violence being orchestrated by Belgrade is now far less likely than that organised locally by Kosovo Serbs. Third, KFOR became much more risk-averse following the drama at the Mitroviča Court House. Watters acknowledges that the action had political risks at the time but he was surprised at the lack of support for the action from France towards a French COMKFOR. As he explained:

> "... the basic problem was KFOR had become a sort of garrison organisation and not quite prepared to face serious threats to security and freedom of movement, and this was a serious threat, it was a strategic threat, and as a result of this the French Brigade in Mitroviča were badly mauled by this situation [...] but not to have deployed them would have lost north of the Ibar River to Kosovo." [103]

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[99] For example see: The Guardian, *Serbia asks UN for partitioning of Kosovo*, dated 25 March 2008. Available at: http://www.theguardian.com/world/2008/mar/25/serbia.kosovo [Last accessed 27 May 2016].
[100] In the wake of Kosovo's independence, the Serbian government fell on 8 March 2008. There was thus a degree inconsistency in what various Ministers were saying, including with regard to Kosovo and sovereignty. For example see: Balkan Insight, *Serb Ministers Deny Kosovo Partition Talks*, dated 24 March 2008. Available from an internet recovery service at: https://web.archive.org/web/20090112172342/http://www.balkaninsight.com:80/en/main/news/8857/ [Last accessed 5 June 2016].
[101] As at the end of 2015.
[102] The Guardian, *Wikileaks cables: Kosovo Sliding Towards Partition, Washington Told*, dated 9 December 2010. Available at: http://www.theguardian.com/world/2010/dec/09/wikileaks-cables-kosovo-independence-serbia [Last accessed 30 May 2016].
[103] Interview K16.

Physical threats to security may have lessened since 2008, but they still exist. During a Kosovo Police (KP) mission to enforce border controls with Serbia in July 2011, a member of the KP Intervention Unit was shot and killed by a Serb sniper and a number of other KP officers were wounded. Subsequently a number of barricades were set up across Northern Kosovo border, as well as on the River Ibar. KFOR then became involved in dealing with the resultant security issues and this set the scene for an ebb and flow of the setting up and subsequent dismantling of barricades, which eventually ground to a halt in 2013[104] leaving several barricades in place. Diplomacy was left to take its course and, after several years of work by the EU through the Integrated Border Management (IBM) process,[105] this eventually led in May 2015 to a joint border crossing point being opened between Serbia and Kosovo.[106]

This limited rapprochement between the two governments perhaps best illustrates the clear linkage between the political and the security situation in Kosovo. As both sides are conditioned by the EU to normalise relations, then the security situation has improved. Nonetheless, as Burin Ramadani of the ethnic Albanian AAK party suggests:

> "... a lot of security problems remain and definitely those problems are inter-connected, and I can connect the north of Kosovo security situation with organised crime, with corruption, with human trafficking, with Islamic fundamentalism and all things because mainly people in Kosovo have started to lose the faith in the system and the State." [107]

These concerns, especially with regard to organised crime and corruption within the state system, were echoed by many interviewees for this research.[108] A

[104] This was in April 2013, shortly after the signing of the Pristina-Belgrade agreement.
[105] Interview K25.
[106] Independent Balkan News Agency, *Agreement Is Reached For Two New Border Crossing Points Between Kosovo and Serbia*, dated 22 May 2015. Available at: http://www.balkaneu.com/agreement-reached-border-crossing-points-kosovo-serbia/#sthash.rR0qNYL4.dpuf [Last accessed 30 May 2016].
[107] Interview K1.
[108] For example, Interviews K3, K6, K9, K13 and K14.

senior Kosovo police officer offered some understanding of these issues, when he suggested that part of the problem for Kosovo is that it is still:

> "... a young state, a young administration. I think the biggest threat is corruption for this young country. Still we don't have, or we are still trying to get proper mechanisms which will be more effective and efficient in tackling these cases of corruption and economic crime, but I think this is [...] one of the biggest threats." [109]

The December 2015 Kosovo Security Barometer (KCSS 2015:20-22) reports Kosovo citizens' perceptions of threats within the country and its findings are entirely consistent with these views.[110] Although the November 2015 UN SRSG report for Kosovo highlighted several inter-ethnic incidents, it stated that the situation "... remained generally stable." [111] The PDK MP, Ganimete Musliu, argued that this stability was relatively surprising given the high rate of unemployment:

> "I don't know which country in the world could hold such a stability with such a big number of unemployment. The majority of the population is very young and unemployed." [112]

Notwithstanding the threats that are still present, including the rise of Islamic fundamentalism[113] that was mentioned by Ramadani, the security situation has improved considerably over the past sixteen years. As Welch suggests:

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[109] Interview K25.
[110] The survey rates the four highest threats as: unemployment (97%), corruption (95%), organized crime (92%) and lack of political stability (90%).
[111] See: UN, *Report of the Secretary-General on the United Nations interim Administration Mission in Kosovo*, UN Doc S/2015/833 dated 3 November 2015. Available at: http://www.unmikonline.org/SGReports/S-2015-833.pdf [Last accessed 30 May 2016].
[112] Interview K20.
[113] Similar to all countries in the Region with Muslim minority or majority populations there is a growing concern about the rise of Islamic fundamentalism and the links to the fighting in Syria. For example, see: Balkan Insight, *Kosovo 'Islamic State' Hacker's Family 'is Pro-American'*, dated 16 October 2015. Available at: http://www.balkaninsight.com/en/article/kosovo-islamic-state-hacker-s-family-is-pro-american-1-10-16-2015 [Last accessed 6 June 2016]; and, Balkan Insight, *Kosovo Detains Three on Terrorism Charges,* dated 17 November 2015. Available at: http://www.balkaninsight.com/en/article/three-kosovo-suspects-on-terrorism-under-custody-11-17-2015 [Last accessed 30 May 2016].

"Kosovo remains [...] quite secure actually. I would rather walk through the streets of Pristina at three in the morning than I would my own town."[114] Inter-ethnic violence is much reduced and the threat of destabilisation from Serbia has also lessened, although it is not entirely absent. It seems clear therefore that corruption and the political culture of impunity which now exists in Kosovo pose the most significant threats to security and stability for this young state in 2015 and beyond. This is therefore the political and security context in which NATO has been supporting the development of Kosovo's security sector. The next section now analyses that role and begins to establish possible themes and lessons to carry forward into NATO's future engagements.

NATO SUPPORT TO DEVELOPMENT OF THE SECURITY SECTOR WITHIN KOSOVO

Background

As alluded to in the introduction to this Chapter, "... a combination of a robust international presence and a different socio-political environment meant that the development of the security sector in Kosovo was fundamentally different from that of other countries in the Western Balkans. Not least this was due to the need to develop a new security sector." (Qehaja 2013:7) Florian Qehaja suggested that the:

> "... formative context of the security institutions in Kosovo can best be divided into three phases. The first phase (1999-2005) marked the establishment of first Kosovo security institutions, notably the Kosovo Police Service (KPS) and civil emergency structures in the form of the Kosovo Protection Corps (KPC), where the international community retained an executive role. The second phase (2005-2008) saw the initial handover of responsibilities from the international community to the Kosovo Government. The third phase (2008-2015) marked the creation of a new security sector architecture that reflected

[114] Interview K15 and he lived on the south coast of England.

> Kosovo's statehood with the establishment of security structures such as the Kosovo Security Force (KSF) and Kosovo Intelligence Agency (KIA)." [115]

NATO[116] has played a role in supporting all three phases of development from DDR of the KLA in the early years to the creation of the KSF since independence. This part of the Chapter seeks to identify the detail of that support and begins the process of understanding the complexities and meanings to be found in NATO's experience.

From a total of 50,000 troops at the end of 1999, KFOR in 2015 had just over 4,600 troops stationed in the country.[117] NATO's mandate throughout this period has been to maintain a 'safe and secure environment' and ensure freedom of movement.[118] This task was undertaken with relative success apart from the two notable exceptions that were discussed earlier in the Chapter: the immediate aftermath of the intervention in 1999 and the riots of March 2004.[119] It seems likely that these humbling experiences led, at least in part, to KFOR's more robust reaction to the seizure of the Mitroviča Court House in 2008.[120] The other area where there has been mixed success was in establishing the rule of law in the early days prior to the arrival of the UNMIK police and the development of the KPS.[121]

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[115] Interview K14. It should be noted that words used in the interview and the words contained in the two citations are very similar: Qehaja and Vrajolli (2011); Qehaja & Blease (2013:7)
[116] A distinction will be drawn between that support provided by the forces based in-country (ie KFOR) and that support provided by JFC Naples, ACO and HQ NATO Brussels. Where the term NATO is used then it means a combination of the various levels of the NATO chain of command.
[117] See: NATO, *NATO's Role in Kosovo*, dated 30 November 2015. Available at: http://www.nato.int/cps/en/natolive/topics_48818.htm [Last accessed 2 May 2016].
[118] Information taken from the NATO website: NATO, *NATO's Role in Kosovo*, dated 30 November 2015. Available at: http://www.nato.int/cps/en/natolive/topics_48818.htm [Last accessed 20 May 2016].
[119] Both cases are discussed earlier in this Chapter in 'International Administration [..]:1999-2005'
[120] Discussed in the previous section 'Current Political And Security Situation In Kosovo'.
[121] Discussed earlier in this Chapter in 'International Administration [..]:1999-2005'.

Early Days: 1999-2005

This section analyses the first phase of development of Kosovo's security institutions. There were a plethora of issues to concern both KFOR and UNMIK during the early days but one particular issue that was paramount was how to manage the KLA. UNSCR 1244 was quite clear in its language that acting under Chapter VII of the Charter of the United Nations:

> "... the KLA and other armed Kosovo Albanian groups [..were to...] end immediately all offensive actions and comply with the requirements for demilitarization as laid down by the head of the international security presence in consultation with the Special Representative of the Secretary-General..." (UN 1999)

Clearly, KFOR's prime concern was to neutralise any immediate threat to security and stability within the country, but, in addition, it needed to create a degree of force protection for its own troops. Whilst the former US regional envoy, Ambassador Gelbard, had famously described the KLA as 'terrorists' in January 1998, the international community, and NATO in particular, had worked quite closely with the KLA from late 1998 onwards. There was thus a measure of good will on both sides. Nonetheless, the KLA were in a mood of triumphalism after the conflict and the narrative that they spread was that: 'NATO had won the Kosovo war in the air; and the KLA had won the war on the ground.' [122] There was thus little appetite for demilitarisation. In mid-June 1999 the then Brigadier General Çeku, the commander of the KLA, had made this point quite clearly to Lieutenant General Jackson, COMKFOR. It was at this stage, however, that General Wes Clark, who was SACEUR, flew to Kosovo and brokered further talks with both Hashim Thaçi and Brigadier General Çeku. The details of the discussion are still shrouded in a degree of mystery[123] but

[122] This was a phrase that was constantly repeated to the researcher when talking to ex-KLA members, including the then Lieutenant General Agim Çeku in 2006. See also Selimi quote in Bekaj (2010:25).

[123] For example, there is no mention in General Wes Clark's autobiography of these events in the immediate aftermath of KFOR's entry into Kosovo. See Clark (2002:402-405). It is possible

what is clear is that on 20 June 1999 Hashim Thaçi, on behalf of the KLA leadership, signed an 'undertaking' [124] with COMKFOR that the KLA would demilitarise within ninety days, in accordance with the provisions of UNSCR 1244. This duly occurred peacefully and on schedule, and was the first phase of DDR in Kosovo after the conflict.

There has always been a degree of speculation as to why the leadership of the KLA agreed to the 'undertaking' given their rather bullish comments in the aftermath of the conflict. In 2006 a senior UK official postulated a theory to the researcher. He suggested that during Clark's visit to Kosovo, immediately after the intervention, a dinner was held between the senior leadership of the KLA and senior NATO commanders. At that dinner General Clark suggested a theoretical way forward for an armed group, that had previously been dubbed a terrorist organisation, eventually to become a fully fledged Army. It was suggested that Clark then drew a diagram of this transition onto a napkin. [125] Figure 6.1 below is believed to be a photocopy of the original napkin and, for clarity, a typed copy of the original is at Figure 6.2.

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that Clark felt that he had gone beyond his mandate in the negotiations or perhaps he considered that there was a residual sensitivity to the discussions.

[124] A copy of the undertaking can be found on the NATO website: NATO's Role In Kosovo, *Undertaking of demilitarisation and transformation by the UCK*, dated 20 June 1999. Available at: http://www.nato.int/kosovo/docu/a990620a.htm [Last accessed 2 June 2016].

[125] This story was related to the researcher in 2006 in order for him to understand better the context of the formation of the KPC. A photocopy of the napkin was also handed to him. For obvious reasons the official does not want to be named, although his name has been shared with the researcher's academic supervisor.

Transition from Terrorist Group to an Army?

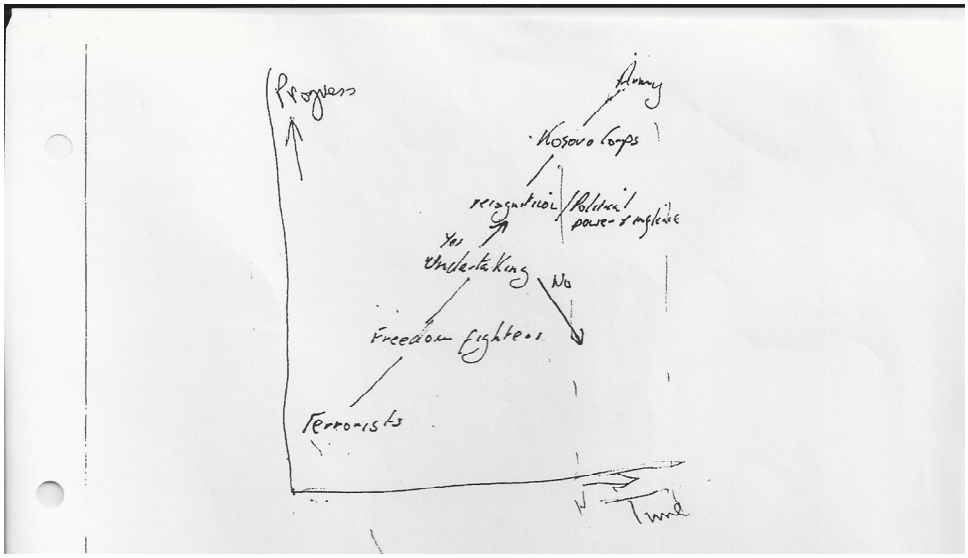

Figure 6.1: Transition From a Terrorist Group to an Army? (1)
(Photocopy of Napkin - June 1999)

Transition from Terrorist Group to an Army?

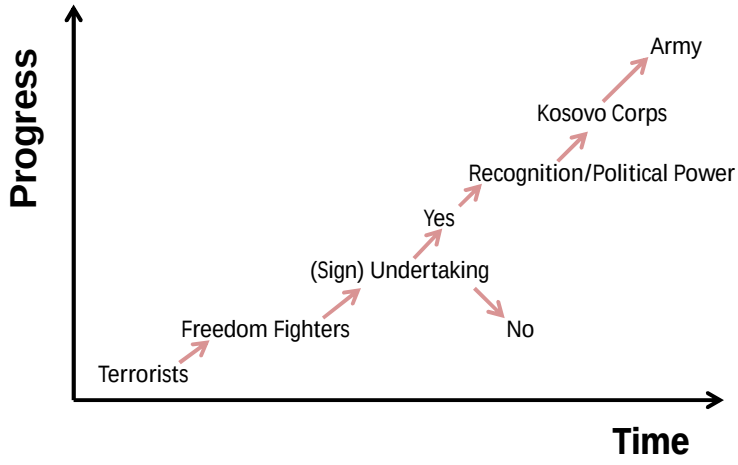

Figure 6.2: Transition From a Terrorist Group to an Army? (2)
(Representation of Diagram on Napkin - June 1999)

The senior UK official was not at that dinner but the story was told to him by a person who was. There is no other corroboration for this story, although the researcher quizzed several people who were involved in the talks.[126] The information is included in this thesis, however, as it shows precisely the path that has been followed since 1999, and which is due to conclude with the formation of Kosovo's Army in 2017, some eighteen years after the signing of the 'undertaking'. In the researcher's considered opinion, the story would therefore seem to be credible. It also highlights the distinctly political approach that was needed by a NATO military commander in order to secure a working agreement on the ground.[127] Without such an approach, it is entirely possible that there might have been armed clashes between KFOR troops and the KLA - it was a possible outcome that could have had dire consequences for both sides.

Although the KLA leadership had agreed to the disarmament process, this did not always translate to a complete willingness to hand over weapons on the ground. This resulted in several tense moments,[128] but ultimately the prospect of achieving their end goal of independence and their own army was sufficiently appealing for the KLA to compromise in the short-term. It has been widely acknowledged that KFOR managed the disarmament process quickly and efficiently. (Gallagher 2005:151) Political scientist, Krennar Gashi, commented:

> "I was astonished at how quickly and rapidly everything moved forward and how quickly [...] the KLA was disarmed. Having [...studied...] post-conflict society, I've been reading a lot about [...how disarmament is...] one of the crucial political obstacles in the aftermath of the war." [129]

By 20 September 1999 the disarmament process had officially been completed and the KLA then signed a follow up document with timelines to set up an

[126] Interviewees K7 and K18 both merely stressed the positive impact that General Clark had on resolution of the disarmament issue.
[127] The UN's Operational Guide to DDR repeatedly emphasises the political nature of the process. (UN 2006:24-25) It is a point that Clark clearly appreciated.
[128] Interview K7.
[129] Interview K6.

unarmed, civilian disaster management organisation, in the form of the KPC.[130] In simple terms the role of the KPC was created in order to occupy the remaining members of the KLA and keep them under IC supervision, whilst UNMIK took interim responsibility for running the province. It was anticipated that the future status of Kosovo would be resolved within a three year window and, with it, the future of the KPC.

Like virtually all guerrilla armies that have agreed to a peace deal, the KLA did not necessarily hand over all their weapons during the disarmament phase and it would be naïve to think otherwise. KFOR continued to find weapons caches throughout Kosovo for several years afterwards and, although former KLA commanders denied ownership, there seems to be little doubt that such hidden storage sites were policy. (Heinemann-Grüder & Paes 2001:19-20; Bekaj 2010:28). As former KLA volunteer, Agim Musliu stated simply during an interview: "Some of them were given back but some of them were hidden." [131]

The next two phases of the KLA's programme of DDR (demobilisation and reintegration) continued in line with the 'undertaking'. UNMIK and KFOR recognised, however, that they did not necessarily have the skills to conduct many of the elements of demobilisation and reintegration, so many of these activities were outsourced to the International Organisation for Migration (IOM). The first step was to register the KLA combatants. As Carl Jenkin, a former member of IOM explained, whilst some former combatants preferred not to register, there were plenty of others who had probably not fought, but felt the need to register as combatants.[132] In the event about 25,000 men and women registered. The IOM, with KFOR assistance, then designed and conducted a series of training courses that sought to transform ex-KLA members from guerrillas to a disciplined but civilian organisation with the right skill set for their roles.

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[130] The document was then transformed into a 'law': UNMIK Regulation 1999/8. Available at: http://www.unmikonline.org/regulations/1999/re99_08.pdf [Last accessed 10 June 2016].
[131] Interview K7.
[132] As quoted in Heinemann-Grüber & Paes (2001:25).

The reintegration into society of the KLA followed the classical lines described in Chapter 2, except that many of the former combatants merely returned to their families because, as an ex-KLA member explained, a number: "... of them were villagers. They turned back [*sic*] to their villages. [...] I can't say exactly how many, but one third of them went back to their villages and [... resumed ...] village life."[133] Some 4,000 KLA veterans were accepted for training as members of the new KPS and, whilst 18,000 people applied for membership of the KPC, just 5,000 were selected. The majority were ex-KLA members but the applicants included civilians and minorities, in line with the desire to have a multi-ethnic force.

Although the KLA's DDR is an interesting case study in its own right,[134] for the purposes of this case study it is necessary to focus on KFOR's direct involvement in the process. After the disarmament phase this was initially the vetting of applicants for the KPC.[135] [136] Both UNMIK and KFOR then helped set up the KPC[137]: UNMIK having overall political responsibility[138] and KFOR having responsibility for the day-to-day direction of the Corps. Initially most of this direction was conducted by KFOR's Joint Implementation Commission (JIC) but it was then succeeded in 2003 by the KFOR Inspectorate for the KPC (KIKPC) with slightly different terms of reference.

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[133] Interview K7.
[134] A more detailed treatment of the entire DDR process can be found in Heinemann-Grüber & Paes (2001), Őzerderm (2008) and Bekaj (2009).
[135] Interview K15A.
[136] KFOR drew upon its own intelligence resources, as well as the many National Intelligence Cells (NICs) present in HQ KFOR in order to conduct the vetting process. This was then an ongoing task with new members of the KPC and one that was repeated for all potential candidates for the KSF.
[137] NATO, *Background Briefing*, dated 21 September 1999. Available at: http://www.nato.int/cps/en/natohq/opinions_27524.htm?selectedLocale=en
[138] From September 2002 until the disbandment of the KPC, the UK provided a 2-star general as the 'KPC Coordinator' responsible for assisting the KPC with its training requirements and development. He worked closely with COMKFOR and HQ KFOR on these issues. See: UNMIK *Press Release*, UNMIK/PR/815, dated 10 September 2002. Available at: http://www.unmikonline.org/PR/815%20-%20New%20UNMIK-Coordinator%20for%20the%20Kosovo%20Protection%20Corps%20appointed.doc [Last accessed 9 June 2016].

Whilst the KPC hierarchy commanded and organised the Corps, the KIKPC, as its name implies, then acted as an inspectorate. Its main tasks were to conduct roll calls and emergency readiness tests, inspect training, and ensure compliance with the KPC Disciplinary Code.[139] [140] The relationship between the KIKPC and the KPC thus became more distant and often somewhat frosty, in the same way that the UK OFSTED schools inspectors can sometimes have a difficult relationship with individual schools and teachers. In an informal conversation with a senior officer in the KPC, it was suggested to the researcher that this was perhaps exacerbated by the rapid turnover of KIKPC personnel and the patchy English language skills on both sides.[141] He implied that the relationship had changed from that of 'partnership' during and immediately after the conflict to one of a 'superior-inferior', somewhat adversarial relationship. KFOR staff seemed to blissfully unaware of this nuance, perhaps because their contextual knowledge was woefully thin.[142] This issue will be returned to later in this Chapter as it is an issue for NATO in the future.

When the KLA leadership agreed for the KPC to be an unarmed, civil emergency organisation,[143] they were clear on the limits being placed on the number of personnel,[144] but did not necessarily understand the extent of the limitations on their activities. For example, the 200 ceremonial weapons the KPC were authorised to hold had to be stored in a KFOR armoury, so that

[139] List of tasks and responsibilities contained in UN ISSR KPC Report, undated (approximately 10 August 2006). Copy held by researcher (UNOSEK & Final Status/Kosovo/2006 08 10 UN ISSR KPC Report).
[140] See also: KFOR Chronicle, *The Kosovo Forces Inspectorate of the KPC (KIKPC)*, updated 1 April 2006. Available at: http://www.nato.int/kfor/chronicle/2005/chronicle_03/09.htm [Last accessed 10 June 2016].
[141] Senior KPC Officer, 23 February 2006. The comment about English language skills, particularly at NATO's Brigade level and below, chimes with the researcher's own experience.
[142] Discussion with KFOR staff after the conversation with the Senior KPC Officer, 23 February 2006.
[143] The document signed by the KLA leadership on 20 September 1999 agreed to the formation of the KPC as an unarmed, civil emergency organisation. The document was then transformed into a 'law': UNMIK, *UNMIK Regulation 1999/8*. Available at: http://www.unmikonline.org/regulations/1999/re99_08.pdf [Last accessed 10 June 2016].
[144] The manning levels of the KPC were included in 20 September 1999 document and were set at 3052 active members and 2000 reservists, organised across 6 regional commands with a central Headquarters in Pristina.

KFOR controlled access.[145] Training was limited to search and rescue, demining and emergency response and specifically excluded military training.[146] Nonetheless, the aspiration remained, backed up by the occasional public pronouncement, that the KPC would eventually become the future army of Kosovo.[147] (Bekaj 2010:29) This expectation was undoubtedly nurtured, at least in part, by the wording of the 'undertaking'[148] and perhaps in part by the Albanian version of KPC.[149] As the three year window before resolution of Kosovo's status began to stretch further and further into the future, the growing uncertainty had a deleterious effect on the KPC. A limiting mandate, dwindling resources and unfulfilled expectations all began to take their toll on morale.

This was exacerbated by the continuous friction between successive COMKFORs and COMKPC over the longer-term future of the KPC. For example, Lieutenant General Fabio Mini wrote to the QUINT Heads of Mission in Kosovo in April 2003 complaining that both Prime Minister Bajram Rexhepi and COMKPC, Lieutenant General Agim Çeku, had made statements confirming the 'army-like future' of the KPC in contravention of the 1999 agreement. He also went on to suggest that they may have been encouraged in these aspirations by members of the international community including the QUINT.[150] He was probably correct in his assertion, as it is a characteristic of the international community in the Western Balkans that they rarely speak with

[145] Interestingly, political scientist Krennar Gashi (Interview K5), voiced his whole-hearted support for this approach at that stage in history, as a means of reassuring the Kosovo Serbs.
[146] Major General (Retired) Ramadan Qehaja (Interview K18) explained to the researcher that this was a constant source of friction as the KPC wanted to conduct more military-style training, whilst KFOR would not allow it.
[147] Interviews K6, K18.
[148] Para 25 of the Undertaking of Demilitarization and Transformation by the UCK dated 21 Jun 99: "… give due consideration to … the formation of an Army of Kosovo on the lines of the US National Guard in due course as part of the political process designed to determine Kosovo's future status…"
[149] Krennar Gashi (Interview K6) repeated something that Çeku had told the researcher in earlier meetings that the KPC in Albanian is: *Trupat e Mbrojtjes së Kosovës (TMK)*. The Albanian word '*Mbrojtjes'* is used for both 'Protection' and 'Defence'. Whether this was a remarkable strategem by the first COMKFOR, Lieutenant General Jackson, to keep everybody at the negotiating table content, or just a linguistic oversight, is a moot point. It would certainly seem to most members of the KPC that they were part of the Kosovo Defence Corps.
[150] KFOR Unreferenced and Unclassified Letter dated 5 April 2003. Copy held by researcher.

one voice. In the event, nothing substantive came from Mini's letter and in a few short months he moved on and was replaced by another COMKFOR.

It is also worth briefly mentioning at this stage one other major concern for KFOR throughout this period. It was evident that some members of the KPC were involved in both criminal and terrorist related incidents in the early days of its formation,[151] and several interviewees commented upon this.[152] The KPC chain of command also reflected its regional KLA roots, which one ex-KLA member suggested merely reinforced clan control, particularly from the Drenica Region.[153]

It was therefore right and proper that KFOR should exercise a measure of control over the KPC, but it was politically naïve of the international community, and thoroughly frustrating for the Kosovars, not to gradually grow the KPC into taking on some security-related tasks. Unfortunately KFOR had no room for manoeuvre as this was a political issue for NATO and the KFOR HQ did not have the appropriate level of political representation in-country. The Commander of JFC Naples, Admiral Mark Fitzgerald, explained to the researcher in 2011 that he would have expected NATO to have installed an ambassador for these types of mission but, quite the reverse, NATO was cutting back on any posts that were not military and directly connected to operations.[154] It is perhaps an issue that NATO should re-examine.

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[151] For example, there was an explosion at the Zvecan bridge in northern Kosovo on 15 April 2003 in which two members of the KPC died. After a lengthy investigation, KFOR and UNMIK announced in December 2003 the suspension and further investigation of 12 KPC members, all of them ex-KLA, for a variety of alleged crimes. See: Janes, *Sentinel Security Report - Balkans*, dated 18 November 2010. Available at: http://articles.janes.com/articles/Janes-Sentinel-Security-Assessment-The-Balkans/Armed-forces-Kosovo.html [Last accessed 5 May 2011].

[152] For example, Interview K6 and Interview K18.

[153] The Drenica Valley was the centre of the KLA uprising in the late 1990s and the home territory of many powerful Kosovars including Hashim Thaçi (former Prime Minister and now President of Kosovo), Sylejman Selimi (former COMKPC and first COMKSF) and Ramush Haradinaj (former Prime Minister of Kosovo). This issue and its implications will be discussed later in this Chapter.

[154] Interview N4. It is interesting to note that in Afghanistan, NATO did eventually appoint a senior diplomat as its Senior Civilian Representative (SCR) in order to tackle these type of political issues and have a direct link to the Secretary General. For a list of the SCRs see: NATO, *NATO's Senior Civilian Representative in Afghanistan*, dated 9 January 2015. Available at: http://www.nato.int/cps/en/natohq/topics_50096.htm [Last accessed 9 June 2016].

Given the political constraints it is not surprising that KFOR's record of success in supporting the development of the KPC has been somewhat patchy,[155] although Ambassador Eide's second report in October 2005 did praise the KPC for achieving UNMIK's laid down standards.[156] Fortunately at the end of 2005 Ahtisaari was appointed to resolve the status issue and there was an expectation that the role and future of the KPC would also be resolved.

NATO Support to UNOSEK: 2006-2007

This section analyses NATO's role in the second phase of the development of the nascent Kosovar security sector with a particular focus on the collaboration with UNOSEK. As discussed earlier in this Chapter,[157] the Special Envoy set up the UNOSEK office in Vienna at the beginning of 2006, and brought together expertise and liaison officers from a variety of different areas. This included a Dutch member of the NATO IS (Stefan Elgersma) and a UK Brigadier on a part-time basis from the NATO operational HQ (JFC Naples) that covered Kosovo and the Western Balkans (Dennis Blease).[158] This section now analyses some of their work within UNOSEK and its implications. Both individuals had a remit to liaise closely with DASG Operations in Brussels, Ambassador Jim Pardew[159], but Blease was then under remit to liaise closely also with COMKFOR and COM JFC Naples, who would keep SACEUR informed of key issues.[160]

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[155] Interview K15.
[156] See UN Security Council S/2005/635 letter dated 7 October 2005, Annex: *A comprehensive review of the situation in Kosovo.* Available at: http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Kos%20S2005%20635.pdf [Last accessed 13 March 2014].
[157] See section entitled: 'UNOSEK and the Road to Independence: 2006-2008'.
[158] Appointment letter from NATO Secretary General to UN Special Envoy, SG(2006)0140, dated 16 February 2006. Copy held by researcher.
[159] Pardew was a former US Ambassador to Bulgaria but had also been involved in various capacities with the DPA negotiation in 1995, NATO's intervention in Kosovo in 1999 and the Ohrid Framework Agreement (OFA) in 2001.
[160] This was a rather tortuous chain of command but was intended to reassure the senior military staff (mainly American) that one of their NATO military officers was not bypassing senior commanders and dealing directly with HQ NATO Brussels. The way this was finessed is that Elgersma wrote a weekly report for Pardew and his team in Brussels, whilst Blease wrote a weekly report to COM JFC Naples, which was then copied to COMKFOR and key NATO staff in

All members of the Contact Group were interested in shaping the security and justice provisions of any future settlement but, within UNOSEK, the NATO team was given the lead in producing drafts for the nascent security sector. The difficulty, as explained earlier,[161] was that anything that was not 'status neutral' could not be discussed with either representatives of Serbia or Kosovo at the start of the talks. To say that this was a 'Catch 22' situation would be an under-statement. Nonetheless, there were three factors that allowed the NATO team to overcome, at least in part, this obstacle. First, Lieutenant General Çeku, the then COMKPC, had been particularly proactive in setting out a vision for the future of the KPC and he briefed this to Ambassador Pardew and the NATO team in Pristina in late February 2006.[162] [163] Second, a rather helpful UK flag officer as the KPC Coordinator allowed the NATO team to liaise closely and sensitise themselves to the underlying issues, but without dealing directly with the organisation. Third, and most importantly, was the existence of a team in Kosovo undertaking an 'Internal Security Sector Review' (ISSR).

The idea for the Review originated in the office of a former KPC Coordinator in 2004 and was then taken forward by the UNMIK SRSG.[164] The Coordinator had witnessed the work of the UK's Security Sector Development Advisory Team (SSDAT) in Sierra Leone and it was to them that he turned to do a scoping study in early 2005. The SSDAT laid out a methodology for a review and persuaded the key stakeholders in Kosovo, both local and international, that such a review would not only help build local ownership but also contribute to the forthcoming status talks. (Welch 2011:186-188) The ISSR team then formed up under the leadership of Tony Welch in early 2006.[165]

Naples and Pristina. The content was obviously carefully coordinated and seemed to satisfy all concerned. A number of (but not all) of these unclassified reports are held by the researcher.

[161] See section entitled: 'UNOSEK and the Road to Independence: 2006-2008'.

[162] Çeku handed a copy of his presentation to the NATO team. Copy held by researcher.

[163] Two weeks after this briefing Çeku resigned from his post as COMKPC and was appointed Prime Minister.

[164] UNMIK Unreferenced Letter dated 1 July 2005. Copy held by researcher.

[165] Welch is a former UK Army flag officer with considerable experience in Kosovo having been the head of DFID in Pristina and more recently the UN Regional Administrator in Mitrovića.

The Kosovo ISSR:

> "... was to be a consultative process designed to give the leaders and people of Kosovo an opportunity to consider issues that would provide a definition of security concerns, interests and the future security architecture in readiness for the process of determining final status. The ISSR would be structured to analyse the existing security capabilities, and identify any new institutional capacities required to address the threats identified through the consultative processes. In addition, it would identify policymaking development requirements and the structures necessary to support internal and external security needs following a determination of Kosovo's final status." (Welch 2011:167-168)

It quickly became apparent that not only did the NATO team in UNOSEK have a conundrum in how to seek the views of locals on security matters, but the ISSR team also had a related conundrum in that there was the potential for delivering a product which was at cross-purposes with UNOSEK and the outcome of future status. This latter scenario would have been counter-productive for all concerned, not least Kosovo.

During a meeting between the NATO team and the ISSR Coordinator in Pristina at the end of February 2006, it was abundantly clear that there was scope for both cooperation and coordination of the two organisations.[166] Welch was quite clear, however, that the views of the Special Envoy would need to have primacy. (Welch 2011:196) There then began a close relationship between the two organisations over the next eleven months that included the ability of UNOSEK to feed questions to the ISSR team for them to use in their outreach programme, both sides to share each others' perspectives on the security sector in Kosovo and its development, and for the ISSR team to brief the Special Envoy on their findings as matters evolved.[167]

[166] Researcher's personal notebook (2 October 2005 - 27 March 2006), on 23 February 2006.
[167] Interview K15.

The synergies accrued between the two organisations benefitted the work of both and, in particular, enabled UNOSEK's discussions in Vienna on possible security structures to be more holistic and better grounded than they might otherwise have been. The NATO team produced a possible security architecture for Kosovo and used an OECD model for the development of a potential NSS. This latter work chimed closely with the ISSR's methodology as recommended by SSDAT (ISSR 2006:3), as well as the process for developing a security sector outlined in Chapter 2. In April 2006 the NATO team then tackled probably the most contentious issue within Kosovo's security sector and produced a discussion paper on the KPC.[168] This was initially circulated within the NATO chain of command, before it was eventually circulated within the Contact Group.

The paper included a series of options for the future that ranged from full demilitarisation of the KPC to the creation of a national defence force. The recommendation was a half-way house, a small self-defence force (named the Kosovo Defence Force - KDF), with certain limitations that would be removed over time. It was recognised that the recommendations offered by UNOSEK could limit the KDF in a variety of ways: equipment, numbers, tasks, financially, geographically, and over varying periods of time. The intention, however, was to impose just a few limits for a certain period of time as a regional confidence building measure, but which would then be removed as the force attained certain benchmarked targets. The key was that the limits should be used in a constructive manner and not merely for the sake of emasculating the force. These ideas then formed the broad framework that was included in the 'Comprehensive Proposals', albeit with some key differences that will be discussed in more detail later.

The recommendation to form the KDF was both sensitive and likely to be controversial for Serbia. In parallel to the work of the NATO team in UNOSEK, the ISSR team had independently come to virtually the same conclusion, but

[168] See: 'A Non-Paper: A Future Kosovo Defence Force or "Wither the KPC"?', dated 23 April 2006. Copy held by researcher.

were asked by UNOSEK not to air their draft recommendation until after a so-called 'Elephant Round' in Vienna on 24 July 2006.[169] In the event, the ICG published a paper entitled *'An Army for Kosovo'* which then proposed a very similar rationale for a possible self-defence force for Kosovo. (ICG 2006) It was later discovered that the ISSR Coordinator had shared his thoughts with the author of the ICG report as a means of socialising the ideas but one that could not be traced back to UNOSEK. (Welch 2011:196) When the draft security text was circulated with the QUINT, there was a curious and, at the time, unexplained insistence on the part of the German delegation to remove the term KDF and insert KSF. It was only subsequently discovered that the acronym 'KdF' was the same as a pre-war Nazi organisation.[170]

As the discourse on SSR in Chapter 2 has already stressed, local ownership is a fundamental plank of the successful development of any security sector. The NATO team in UNOSEK remained concerned about this element of their proposals throughout 2006.[171] Until the September, the input from the ISSR, who had reached out to citizens across the country via town hall discussions, their 'have your say bus', TV debates and a raft of other innovative measures, would seem to have gone as far as they could in establishing what was practical for Kosovo and could then be 'owned'. Indeed, several interviewees praised the scope and scale of this consultative process.[172] Also incorporated into the 'Comprehensive Proposals' was a measure for the Kosovo government to establish a Security Council and for it to develop a full NSS with appropriate budgetary and oversight provisions.[173] This was intended to 'nudge'[174] Kosovo

[169] The so-called 'Elephant Round' was the first meeting of the Serbian and Kosovar leadership under the chairmanship of the Special Envoy to air their views on the status issue.
[170] It was subsequently explained to the researcher by a German diplomat that there had been some nervousness in Berlin about the abbreviation for the Kosovo Defence Force - KDF. There had been a pre-war Nazi organisation called *'Kraft durch Freude*' (KdF) or 'Strength through Joy', which was a state-sponsored leisure organisation that had some 39 million members at its height. One of the KdF's most ambitious projects was the *'KdF-Wagen*', which subsequently was re-named the Volkswagen Beetle. It is curious that diplomats in Berlin are still concerned about such linkages being made today. For more details see: *Kraft durch Freude*. Available at: http://www.feldgrau.com/KdF.html [Last accessed 12 November 2015].
[171] The Special Envoy was very mindful of and frequently drew this factor to his team's attention.
[172] For example, Interviews K1 and K5.
[173] Article 1.4, Annex VIII of 'Comprehensive Proposals'.

towards taking ownership of a holistic process which would then give them a reasonable chance of developing a strategy to match their needs, aspirations and, hopefully, the availability of funding. Although it was fully appreciated that Kosovo was effectively being directed to develop the strategy, it was still felt that by going through the process themselves the Kosovars would be able to understand better the connectivity of an NSS, take ownership and ultimately develop a security sector that was democratic, transparent and accountable. (Qehaja 2013)

From the end of September 2006, however, headwinds began to blow the initial draft of the UNOSEK status document off-track. On 30 September the Serbian Parliament agreed a new constitution which, *inter alia*, included a provision that 'Kosovo Metohija' was an integral part of Serbia. There were also very clear signs that after the referendum on the new constitution, fresh Parliamentary elections would be called. (Ker-Lindsay 2012:45-46) These moves would seem to have been aimed at derailing the timetable for the status process. Putting to one side Russia's "... increased aggressiveness towards the settlement process and independence for Kosovo ..."[175], which will be analysed in more detail later,[176] there were challenges nearer to home. At a QUINT Meeting in Berlin on 6 October 2006 it became apparent that the views of individual countries had begun to diverge on the status timetable as a result of the political dynamic in Serbia, and this served to complicate an already complicated situation.

At the meeting the French representative stated that his government would wish to wait until after the Serbian elections and for a new government to be installed in Belgrade before presenting Ahtisaari's proposals to both parties. At the same time Germany, as the amanuensis for the meeting, had inserted language into

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[174] 'Nudge theory' has only come to the attention of academics and, in particular, political scientists since the setting up of a 'nudge unit' inside the UK's Cabinet Office in 2010. The idea of pointing people or states in a certain direction without forced compliance has, however, been an integral part of the SSR process from the start and was certainly integral to Ahtisaari's approach.
[175] NATO Info Memo, OPS(2006)0757 dated 9 October 2006. Copy held by researcher.
[176] See: 'Geo-strategic Interests in Kosovo?'

the draft security annexes that would have blurred the lines of authority between the International Military Presence (ie NATO) and the ICR. This has always been a red line for the US and NATO[177] and the attempt was eventually seen off by the US and UK governments after some forcible diplomacy from Ambassador Jim Pardew. Germany had also watered down some of the articles concerning the handover of responsibilities to the new self-defence force, which would have had the potential effect of keeping KFOR in Kosovo *ad infinitum*. This point was made forcibly by the NATO team in UNOSEK to Pardew in NATO HQ.[178] (Welch 2011:212) In the aftermath of the QUINT meeting Ahtisaari chaired a roundtable in Vienna between the German, EU and NATO representatives on his team in order to overcome some of these issues. After a flurry of communication between Vienna, Berlin and Brussels, some compromises to the wording of the draft security sections were agreed, although they still weakened the original ownership aspects and increased the barriers needed to hand over security tasks from NATO to the Kosovars.[179] This was a mistake and undoubtedly increased the Kosovars' sense of frustration with the international community post-independence.

Germany's attempts to dilute local ownership of security issues was also evident within KFOR. In the first half of 2006 the Italian COMKFOR proved to be both supportive and helpful to the ISSR team but this approach was reversed with the arrival of a German COMKFOR in September 2006. Tony Welch commented:

> "I will say that with the change from an Italian KFOR Commander to a German one we did begin to have resistance to what we were doing, which [...] was in my opinion, directly related to Germany's feelings about the Kosovo Protection Corps as it was, and its evolution from the Kosovo Liberation Army. [...] When we published our report, we had a message from the Commander of KFOR [...]

[177] NATO Info Memo, OPS(2006)0757, *op cit*.
[178] Pardew had been at the meeting in Berlin but the NATO team in UNOSEK had not. E-mail Blease to Pardew dated 12 October 2006. Copy held by researcher.
[179] Notes from meeting held by researcher, dated 19 October 2006.

> that he could not endorse the report or indeed be involved in its launch in any way."[180]

Commanders of multi-national forces will often face a dilemma in providing unbiased leadership of their organisation and following the diktats of their home state but this was becoming particularly apparent in Kosovo. As the situation became more political from 2006 onwards, local commentators reported a perception that many KFOR officers appeared to be following national lines rather than NATO ones.[181] This view was reinforced by a former senior KFOR officer when he claimed:

> "I think it would be naïve to think that each of the senior representatives of their nation within KFOR was not loyal first to their nation state and secondly to KFOR."[182]

Several members of NATO highlighted the somewhat random nature of the selection procedure for NATO Commanders or senior NATO positions.[183] Lieutenant General Peter Pearson explained that whilst DSACEUR asks for bids from countries for specific posts, the countries that want the post the most normally gets it, so in effect, "... NATO doesn't select any of its Commanders at all, if you think about it, they're selected by the nations."[184] There is thus little wonder that, having inserted their person into the post, governments will use that position to meet their own perceived interests.

After the hiatus caused by the QUINT meeting, the NATO team continued to add to the draft UNOSEK document and made three significant contributions. The first was to produce a sequence and detailed timeline of events for the security sector including such issues as the standing up the KSF and standing

[180] Interview K15.
[181] For example, Interviews K3, K8 and K14.
[182] Interview K16.
[183] Interviews N2 and BH18.
[184] Interview N3.

down of the KPC.[185] This was a classic DDR task reminiscent of many post-conflict countries. The second was setting up a framework for international actors to tackle the difficult issue of airspace control over Kosovo that had nominally been under UNMIK authority.[186] [187] The third key issue was finding a solution to an on-going border dispute between Kosovo and Macedonia. The internal borders of Yugoslavia had never been particularly well documented and it was only when the Federation broke up and the borders became external that the issue began to pose a problem. An internationally approved team had accurately defined the FRY/Macedonian border in 2000. The Macedonian Government had then sought Belgrade's approval to this demarcation in 2001, not Kosovo or UNMIK, as nominally the landmass of Kosovo was still under the sovereignty of Belgrade.[188] This was then endorsed (mistakenly) during a late night session of the UN Security Council in February 2001. The NATO team managed to gain the agreement of both Kosovo and Macedonia to include this UN-agreed change to the border in the 'Comprehensive Proposals'.[189] Although Kosovo 'lost' a few acres of land, it secured Macedonia's goodwill and subsequently support for its independence.[190] These latter two tasks were not conventional SSR work but undoubtedly helped improve stability in the Region and removed potential international obstacles before Kosovo's independence.

In October 2006 the ISSR team began a programme of briefings to explain their draft findings that took place as far apart as Vienna, Belgrade and Pristina. The report was due to be published in December 2006 but the German

[185] Although this was initially worked out in relationship to the passing of a UNSCR, it was still used by Kosovo with the declaration of independence as the starting date.
[186] 'Matrix on Air Space Control and Management', dated 14 December 2006. Copy held by researcher.
[187] Airspace is a sovereignty issue and was covered in Article 7.1, Annex VIII of the 'Comprehensive Proposals'.
[188] In accordance with UNSCR 1244. (UN 1999)
[189] See: MA/UNOSEK report dated 3 February 2007. Copy held by researcher.
[190] The relevant draft article (Article 3.2, Annex VIII of the 'Comprehensive Proposals') was shared with Macedonia at the same time as Kosovo and Serbia, which allowed the Macedonian Prime Minister to support the proposals publicly. See: MIA, *Nikola Gruevski: Kosovo Plan of UN Envoy Acceptable for Macedonia*, dated 3 February 2007. Available at: http://www.invest-in-macedonia.com/politics/1170537540-pm-gruevski-kosovo-plan-of-un-envoy-acceptable-for-macedonia.html [Last accessed 20 June 2016]. Copy held by researcher.

COMKFOR[191] personally intervened in order to force a delay. Through the KFOR staff, he gave various reasons for further delay, none of which made particular sense, as he had already been assured by the NATO team in UNOSEK that there was nothing in the draft report to concern either the Special Envoy or NATO. Ultimately, he was unable to delay it further[192] and the report was published in January 2007. (Welch 2011:213-214)[193] The report was described by the OECD as "…one of the most ambitious and holistic efforts at SSR undertaken in recent years, both in scope and methodology ..." (OECD-DAC 2007:249) and was broadly welcomed. Unfortunately it did not quite receive the accolades that it deserved, but this was probably due to the many institutional rivalries within Kosovo.

Nonetheless, the cooperation between the NATO team in UNOSEK and the ISSR team had proved to be of immense benefit to both sides in fulfilling their respective mandates, in what Law (2008:58-59) describes as an 'enhancive' manner. It is rare that two disparate organisations were able to work in such a harmonious way but, in developing the structure and detail of Kosovo's security sector from scratch, it was essential. Thus "... the final ISSR report and the Ahtisaari 'Comprehensive Proposals' proved to be mutually reinforcing. [... And, ...] whilst it would be true to aver that Ahtisaari's proposals were produced top-down, it would also be true to suggest that many elements of the proposals flowed bottom-up via indirect contributions from local society and local actors, mainly through the ISSR process." (Qehaja *et al* 2013:9)

[191] By dint of his appointment, COMKFOR was automatically a member of the ISSR steering committee, so had some influence on events.
[192] Indirect pressure was brought upon COMKFOR to release the document by the Special Envoy letting the SRSG and NATO chain of command know that he considered that the Report provided a roadmap for the PISG for further action. See MA/UNOSEK report dated 15 January 2007. Copy held by researcher.
[193] Welch argues that these delays were at the instigation of COMKFOR's home state, Germany. This would seem to be consistent with Germany's previous actions, although it is perhaps possible that COMKFOR was merely exercising an overly-rigid interpretation of the KFOR mandate.

As explained earlier[194] Ahtisaari's draft proposals were shared with both Belgrade and Pristina on 2 February 2007.[195] In Belgrade the Status Envoy met with President Tadić and his advisors (Prime Minister Koštunica having refused to meet him), and in Pristina he met with the entire Kosovo Unity Team. Both meetings were choreographed to an extent, with well-rehearsed positions merely being reiterated. The one slightly discordant note:

> "... came from Prime Minister Çeku, whose body language throughout the meeting was one of thinly disguised resentment. His unhappiness centred on the level of international oversight of the security sector and the apparently casual way that the KPC was to be disbanded." [196]

Subsequent media reports also quoted Çeku as expressing his reservations publicly.[197] There had been earlier indications that Çeku, amongst others, might have some reservations so, as part of his introductory comments, the Status Envoy offered to send members of his team to Belgrade and Pristina the following week in order to clarify specific issues. Ambassador Frank Wisner, the US Special Representative to the Status Talks, therefore met with Çeku on 7 February and the UNOSEK-NATO team met with him the following day. Both were with the intention of persuading the Prime Minister that the draft proposals were the best on offer.

For example, the NATO team reaffirmed the Status Envoy's point to Çeku that the security annex was non-negotiable, being a result of difficult compromises already made within the Contact Group.[198] The team took him through the security paragraphs with the aim of demonstrating that they met most of his

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[194] See section: 'UNOSEK and the Road to Independence:2006-2008'.
[195] The most interesting point about the draft is that there was no specific mention of what the final status was to be, although a glance at the text, and specifically at the security sector, could only suggest some form of independence.
[196] MA/UNOSEK report dated 3 February 2006, *op cit*.
[197] Albin Kurti, the leader of the *Vetëvendosje* movement, was picking up sound-bites from the PM and was creating a degree on unrest in Kosovo over the proposals.
[198] The NATO team in UNOSEK was clear that compromises will always be necessary in these types of negotiation, but, equally, they felt that Çeku had a point, and that some of the changes in wording insisted upon by Germany had been over-cautious and deeply unhelpful.

aspirations and, at the end of the meeting, he seemed to have much better grasp of the nuances involved. It was clear, however, that the language of the draft proposals could be softened in order to make it more appealing for local consumption in the Albanian version.[199] Thus phrases like 'disbanding the KPC' became 'dissolving the KPC' and that the process should be done 'with dignity'.[200] This discussion proved extremely useful to the NATO team, who then were able to assist his staff in developing some public 'lines to take' in order to help sell the language and content of the draft proposals.[201] A point that is worth making here, is that English is a particularly rich language, which can be used skillfully to create fine nuances. The same is not always true with less complex languages. In recent years it has been commonplace for post-conflict peace agreements and associated documents to be crafted first in English and then subsequently translated into other relevant languages. From this example, it would seem to be a clear lesson for these post-conflict scenarios that such documents should be translated in both directions[202] before they are agreed in order to ensure that the meaning is as close as possible in both languages.

During February and March 2007 the NATO team in UNOSEK continued to support the negotiations with the parties. Progress, however, was patchy not least because Belgrade "... was bipolar with different nuances from the President's man (Kojen) and Prime Minister's man (Samardžić)."[203] At the end of the negotiations the report back to JFC Naples stated:

> "The ten days of talks have seen a significant hardening of positions, particularly from Belgrade, and the drawing back from previously agreed language. The key message that could be drawn from this round is that no amount of further time or

[199] MA/UNOSEK report dated 10 February 2006. Copy held by researcher.
[200] See Annex VIII of the 'Comprehensive Proposals'.
[201] Copy of draft 'Lines to Take' held by researcher.
[202] For clarity, that would be from English to the local language and then back again into English. This should be done with two different translators without any collusion or discussion. The original draft should then be compared with the final version in order to identify inconsistencies.
[203] MA/UNOSEK report dated 24 February 2007. Copy held by researcher.

> further engagement is going to bring the two sides closer together. The debate must now shift to the Security Council in New York."[204]

The NATO team then supported the final drafting process of the 'Comprehensive Proposals' until they were delivered to the UN Security Council on 26 March 2007, whilst also continuing to coordinate the various NATO strands of activity for the security sector. These coordination efforts continued for both members of the team when they returned to their normal jobs, which aided continuity. Unfortunately, as explained earlier in the Chapter, the proposals became stuck in the Security Council.

Towards the end of 2007 it became increasingly apparent that NATO would need to assume the responsibilities allocated in the 'Comprehensive Proposals' but without the necessary legal framework from the UN Security Council. During much of 2007 the planning staffs at JFC Naples and SHAPE were conducting what is euphemistically termed 'prudent military planning' [205] to cover the various potential outcomes for Kosovo. It was clear to JFC Naples, however, that there were severe challenges, both financially and in staffing terms, if NATO were to develop a demobilisation and reintegration programme for the KPC and set up the KSF in a timely manner.[206] By December 2007 discussion was underway between all the key stakeholders about the timing of a coordinated declaration of independence by Kosovo, although the Alliance Foreign Ministers were only able to agree the following at their meeting on 7 December 2007:

> "KFOR shall remain in Kosovo on the basis of UN Security Council Resolution 1244, unless the Security Council decides otherwise. [...] **NATO stands ready to play its part in the implementation of future security arrangements.** [...]

[204] MA/UNOSEK report dated 3 March 2007. Copy held by researcher.
[205] In the absence of formal political guidance from the NAC in Brussels, this mechanism allows the planning staffs of the military HQs to have thought through the issues for any given situation and then be well poised to offer military advice when tasked by the NAC or the Secretary General.
[206] JFC Naples letter 1470/OJX OPX/07 dated 5 November 2007. As quoted in letter held by researcher.

> We will continue to cooperate closely with the population of Kosovo, the UN, the European Union and other international actors wherever appropriate to help in the further development of a stable, democratic, multi-ethnic and peaceful Kosovo." (NATO 2007. Emphasis added.)

The key phrase in the communiqué above has been emphasised by the researcher as it was a signal from Foreign Ministers to allow 'prudent military planning' to continue. SACEUR therefore provided further guidance, albeit heavily caveated, to COM JFC Naples and COMKFOR to carry on with planning for tasks in accordance with Ahtisaari's plan, whilst being sensitive that no formal mandate had been issued by the NAC.[207] The letter was a masterpiece of circumspection but it allowed detailed work further down the military chain of command on what were to become known as NATO's 'new tasks'. NATO HQ's DASG Operations was similarly coordinating the higher level NATO activities including setting up a civilian team to assist in the civilian oversight of the KSF.[208]

On 19 December 2007 there was a closed door meeting of the UN Security Council to discuss Kosovo, which merely served to confirm that the Council remained divided. Russia and China called for a resumption of the negotiations between Serbia and Kosovo, whilst the Western members insisted that the negotiations were exhausted.[209] Given this impasse the European members of the Security Council, the US and Germany (with the EU Presidency) gave a joint press statement after the meeting:

> "[...] We would have liked the Security Council to play its role. But, as today's discussions have once again shown, the Council is not in a position to agree on the way ahead. We regret this, but we are ready to take on our own

[207] SHAPE Letter SH/J5 PLANS/7340-074/07-203643 dated 12 December 2007. Copy held by researcher.
[208] NATO HQ Memo, OPS(2007)0897 dated 14 December 2007. Copy held by researcher.
[209] NATO HQ Memo, OPS(2007)0916 dated 20 December 2007. Copy held by researcher.

responsibilities. We will work within the EU and NATO in a careful and coordinated manner towards a settlement for Kosovo. [...]" [210]

This effectively was the starting pistol for Kosovo's 'coordinated independence' two months later.[211] The role that NATO played during this period is covered next.

The 'New Tasks': 2008-2015

This section now analyses the role that NATO played in Kosovo in the third phase of the development of its security sector from 2008 until 2015.[212] From the beginning of 2008, and certainly after Kosovo's 'coordinated independence', it was abundantly clear that NATO's key challenge was the political sensitivity that accompanied any new institution building and SSR mandate for KFOR.[213] [214] In the immediate aftermath of the declaration, the Alliance was only able to reaffirm that KFOR should remain in Kosovo on the basis of UNSCR 1244.[215] This would include a continuation of the 'safe and secure environment' task for KFOR, but unlike the stipulations of UNSCR 1244, the planned 'new tasks' would be in support of the Kosovo institutions. It was

[210] The researcher holds a copy of the press statement but the only other full transcript that can be found is in Ker-Lindsay (2009:100).
[211] NATO was a key stakeholder at a high-level meeting in Vienna in early 2008, which was chaired by the newly appointed ICR. The aim of the meeting was to discuss preparations for Kosovo's 'coordinated independence' and included representatives from the EU, UN, HQ NATO, SHAPE, JFC Naples and KFOR. The really interesting point is the inclusion of UN officials, given their need to adhere to the stipulations of UNSCR 1244. See: unreferenced and undated copy of minutes held by researcher.
[212] It was in early 2008 that it became clear that four members of NATO did not intend to recognise Kosovo as an independent state due to concerns they had about self-determination from minorities within their countries (Romania, Slovakia, and Spain - note the 2017 issue over Catalonia) and one country that espoused a degree of solidarity with Serbia (Greece). All four became known as the NATO non-recognisers.
[213] Interview K16.
[214] Also the views of a former senior NATO official. He declined to be interviewed for this research but was content for the researcher to draw upon the material that was used in a NATO presentation. In order to preserve his anonymity when referencing him subsequently, he will be known as: Senior NATO Official AB. The researcher's academic supervisor has been shown the material.
[215] See: NATO, *Statement by the NAC After Kosovo's Declaration of Independence*, dated 18 February 2008. Available at: http://www.nato.int/cps/en/natohq/news_1736.htm?selectedLocale=en [Last accessed 13 June 2016].

not until 12 June 2008, however, that NATO Defence Ministers were able to authorise these 'new tasks' in Kosovo,[216] some three days before Kosovo's new constitution came into effect.

"These 'new tasks' were both developmental and advisory in nature (classic SSR tasks) and included assisting in the 'standing down' (in other words disbanding) of the KPC, the 'standing up' (establishment) of the KSF and the establishment of a 'civilian-led body' (a ministry) to oversee the KSF." [217] The first two tasks were to be overseen by a new organisation within KFOR, entitled the Military Civilian Advisory Division (MCAD) and the latter by a Ministry Advisory Team (MAT) that worked directly to DASG Defence Policy and Plans in NATO HQ Brussels.[218] The rationale for this is that the ministry is led by a minster, it needed NATO civilian oversight, rather than military oversight. As a senior NATO official explained:

> "NATO has never done this before, to actually get down and dirty setting up a civilian Ministry. It's slow work but it's been moderately successful in terms of recruiting people, training people, mentoring if you like. [...] It's [...] particularly unsatisfactory in that people are split between different locations so that makes life even more difficult…But this is a moderate success story."[219]

Although the senior NATO official was clearly cautious in his choice of words, several other interviewees in Kosovo were much more fulsome in their praise of the role that the MAT (subsequently renamed the NAT) was, and still is,

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[216] As explained by the NATO Secretary General. See NATO, *Press Conference - NATO Secretary General, Jaap de Hoop Scheffer after the meeting of the North Atlantic Council with non-NATO KFOR contributing nations,* dated 12 June 2008. Available at: http://www.nato.int/docu/speech/2008/s080612b.html, [Last accessed 12 March 2011].

[217] "In the original draft of the Comprehensive Proposals that were shared with both Pristina and Belgrade, it was stated that the KPC were to be 'disbanded'. Unfortunately this word did not have a direct equivalent in Albanian apart from something along the lines of 'to destroy'. It was therefore decided to use the more neutral term 'to dissolve' as a linguistic compromise in both the main chapeau and Annex VIII. The use of the rather clumsy terms 'standing down' and 'standing up' were then adopted by NATO, presumably for similar reasons. Some NATO nations were also loath to use the term 'ministry', although that was clearly the role of the civilian body." (Blease 2011:191)

[218] Interviews N6 and N7.

[219] Interview N6.

performing.[220] When interviewed Lieutenant General Kastrati was clear that these advisory roles are crucial in building capacity both within the Ministry and the KSF.[221]

Unfortunately the excellent work of the MAT/NAT was not necessarily replicated within the MCAD, where difficulties with its mandate soon began to emerge. A workable plan had been produced for both the tasks allocated to the MCAD but "... the view of certain KFOR-contributing countries was that it should act in a strictly status neutral manner and its officers and soldiers seemed to be following national orders, rather than NATO orders. It was a view that seemed to run counter to the thrust of the 'new tasks' and acted as an obstacle to progress." (Clewlow 2010a) This was complicated by the failure to fill the posts in MCAD, or staff them with individuals from the non-recognising states. One member of the international community in Pristina suggested that there was a feeling of "... moral outrage in KFOR about [... the setting up of...] the KSF." [222] In the event the KPC was successfully 'stood down' and the KSF was 'stood up', but it had more to do with the activities of the local stakeholders rather than KFOR. Whilst it did mean that a degree of local ownership was engendered, it also allowed certain elements within the Kosovo Government to hijack events for their own ends and criticise the international community. (Clewlow 2010a:28-30)

A full treatment of events can be found in the two papers by Ade Clewlow, but it became apparent that KFOR staff had become confused about their mandate and thus being narrow in their interpretation of their duties.[223] It was a situation that demanded strong leadership within KFOR, which, unfortunately, seemed to have been lacking as individuals clung to the handcuffs of their mandate without using them as handrails to achieve the strategic objectives. Notwithstanding these substantial difficulties inside KFOR, the obstacles were eventually

[220] For example, Interviews K2 and K14.
[221] Interview K17.
[222] Interview K2.
[223] The two papers are: Clewlow (2010a) and Clewlow (2010b).

overcome by a dedicated band of officers rather than KFOR itself. It was not KFOR's finest hour.

There are many issues that could be drawn from the above experience but for the sake of brevity only three are analysed in detail below. They are the impact of the non-recognisers to NATO's approach, strategic communications, and the appetite for risk within NATO.

First, NATO HQ perhaps took too much account of the opinions of the non-recognising states, which then created considerable difficulties on the ground. These were difficulties that KFOR's military personnel were not always able to overcome. One trivial example is that one of the non-recognising states objected to the name of the MAT, as they believed it represented an explicit recognition of Kosovo as an independent state. Thus the team in the Ministry was rechristened the NATO Advisory Team or NAT, much to the bemusement of both the local Kosovars as well as the international community in Kosovo.[224]

Second, a directive from NATO HQ that had more profound implications was the prohibition of any form of proactive information strategy in support of the 'new tasks'.[225] Similarly, the new government of Kosovo had to be described in a neutral manner as the nascent 'Institutions of Kosovo'.[226] KFOR did not have a particularly strong reputation for getting its message out to the local community[227] but this lack of a strategic communications plan very nearly derailed both the standing down of the KPC and standing up of the KSF, and led to serious confusion concerning what NATO/KFOR was attempting to achieve. It also allowed dissenting voices in the community, such as the KLA veterans, and the local media to fill the vacuum with their message.[228] The

[224] Senior NATO Official AB. Interview N6 indicated that the country in question was Spain.
[225] Interview K2 and Clewlow (2010a:31) and Clewlow (2010b:29). This direction was also included in: SHAPE Letter SH/J5 PLANS/7340-074/07-203643, *op cit*. Copy held by researcher.
[226] Senior NATO Official AB.
[227] For example, Interviews K5 and K6. This issue will be analysed further in the next section of this Chapter.
[228] Interview K2 and Clewlow (2010b:30).

dissolution of the KPC was always going to be a sensitive issue in Kosovo, where they were seen as the successor organisation to the KLA. In the absence of clear information some members of the KPC went on strike and the whole issue became a domestic political football. Ironically KFOR's refusal to engage meant that recruitment for a multi-ethnic KSF was harmed and the process was more difficult than it should have been.[229]

Third, KFOR became increasingly risk averse and more circumspect in its dealings with locals. As one member of the international community in Pristina commented, KFOR had a "... phobia about the use of the terms 'army' or 'military' ..." when referring to the KSF[230] and another suggested that as a result the organisation "... on occasions seemed unwilling to shoulder its new responsibilities."[231] These perceptions chimed with the researcher's own observations. He was introduced to the German COMKFOR and a group of his senior officers at a UK reception in the Hotel Emerald on 19 June 2013. Having explained the purpose of his visit to Kosovo and the nature of his research, there was a tangible sense of disquiet in the group, and several of the officers commented 'how sensitive everything was at the moment'. At that moment COMKSF, Lieutenant General Kastrati, approached the researcher as they had known each other for a number of years. The KFOR group immediately moved away with only a brief nod of acknowledgement to Kastrati. The researcher then had an opportunity to observe the KFOR group on occasions over the next hour or so. Although there were key individuals from every strata of Kosovo society at the reception, from politicians to commentators to state officials, as well the key members of the international community, there seemed to be no attempt (as far as the researcher could see) by the KFOR group to engage with anybody, local actors or international community. There was a sense of isolation and a palpable feeling of unease hung over them. As soon as the UK Ambassador and the Kosovar President had made their speeches, the group

[229] Senior NATO Official AB.
[230] Interview K2.
[231] Senior NATO Official AB was referring to the 'new tasks'.

departed en masse.[232] Given that one of KFOR's key tasks was to support the development of an element of the Kosovo security sector, it would seem to defy common sense that this senior group of officers should not be engaging with the local elite, building relationships and trust. The issue of relationships during the support of a country's SSR will be returned to later in the Chapter but clearly this attitude would have had an impact on the work of the MCAD.

It was perhaps fortuitous that around this time, the IS in NATO HQ recognised that there were a series of chronic failures with the work of the MCAD. These ranged from persistent undermanning, a lack of donations for the NATO trust funds to assist the KSF, the more systemic issues associated with short tours of four or six months for the MCAD personnel, and probably (but not admitted publicly) a high-level of disengagement with the leadership of the KSF. The IS took the initiative to replace the MCAD with a new organisation, the NATO Liaison and Advisory Team (NLAT). The new team was based on the NAT model, was to be collocated with the KSF, and would come under the direct control of NATO HQ Brussels. The NATO website states:

> "In order to continue supporting the KSF, the Alliance established the NATO Liaison and Advisory Team (NLAT) in July 2013. The NLAT is distinct from KFOR and consists of approximately 35 military and civilian personnel. Based in Pristina, this body is charged with providing advice and support to the KSF at brigade level and above, focusing on staff capacity-building and training." [233]

Both Swedish Lieutenant Colonel Curt Jakobsson[234] and local security analyst Florian Qehaja[235] suggested that this change also ensured that the non-recognising countries had less control of the work of NLAT and thus there was less political interference in the development of the KSF. Lieutenant General

[232] After action note in Field Research Notebook No 4, dated 22 June 2013. Held by researcher.
[233] See: NATO, *NATO's Role in Kosovo*, 'NLAT', dated November 2015. Available at: http://www.nato.int/cps/en/natohq/topics_48818.htm?selectedLocale=en [Last accessed 15 June 2016].
[234] Interview K9.
[235] Interview K14.

Kastrati, COMKSF, was clearly delighted with the change and not only that the NLAT was collocated with the KSF, but that the Chief NLAT would be his personal advisor.[236] As a senior member of the NLAT pointed out, this would ensure that the NAT and the NLAT would be better coordinated and more coherent in their respective approaches.[237] So whilst there were still some potential pitfalls to overcome, this would seem to have been a most shrewd move by the IS and more in keeping with the principles of SSR.

Possible Membership of PfP

It would now be appropriate to turn to the issue of possible membership of PfP for Kosovo. Well before the formation of the NLAT, the Government of Kosovo was concerned about when they would be invited to join, but also when there would be the handover of security tasks from KFOR in line with the original 'Comprehensive Proposals'.[238] Ahtisaari directed that there should be limits to the numbers and capabilities of the KSF and these should remain unchanged until five years after the settlement came into force.[239] Effectively this was accepted as five years after Kosovo's independence and after the completion of a benchmarked process.[240] This latter process was part political and part military. On 9 July 2013, some five and a half years after Kosovo's declaration of independence, the Secretary General of NATO declared that the KSF had passed that 'benchmarked process' and reached full operational capability (FOC).[241] The expectation within Kosovo was that this would be the signal for NATO to begin formal discussions for the country to join PfP.[242] Nothing

[236] Interview K17.
[237] Interview K24-N.
[238] Article 1.5 and Article 5.4, Annex VIII of the 'Comprehensive Proposals'.
[239] Article 5.3, Annex VIII of the 'Comprehensive Proposals'.
[240] Initially "... the tasks of the KSF remained very similar to those of the KPC, although it is an armed force, whilst the KPC was not. It was anticipated that once the KSF had achieved this benchmarked process, then the range of tasks open to it would gradually increase in order for it eventually to take responsibility for the tasks currently performed by KFOR." (Blease 2011:193)
[241] See: NATO, *NATO Secretary General statement on Kosovo Security Force Reaching Full Operational Capability*, dated 9 July 2013. Available at: http://www.nato.int/cps/en/natohq/news_101882.htm [Last accessed 15 June 2016].
[242] Interview K3.

substantive has happened and, as at 31 December 2015, NATO has still not offered PfP membership to Kosovo.

Even before the declaration of FOC, Admiral Mark Fitzgerald, NATO's operational commander for the Balkans, was clear that NATO's biggest conundrum in the Balkans was: "How do we get an exit strategy in Kosovo?"[243] Since FOC, the non-recognising Alliance members have blocked any move to formally decrease the size of KFOR[244] or handover its tasks to the KSF. Two senior KFOR officers who were interviewed for this research merely pointed to their current mandate and stated that any decision to change that mandate would be a political decision in Brussels.[245] Thus Fitzgerald's successor would seem to have the same conundrum with no exit strategy in sight.

The IS still needs to be careful in their handling of the non-recognisers but perhaps it is time for them to recommend "... an innovative interim step before PfP is offered. One possible option could be some form of 'Tailored Cooperation Programme' (TCP) that was previously offered to both BiH and Serbia before they were accepted for PfP membership. There is thus a precedent. The TCP would allow access to a number of the highly successful NATO SSR-related programmes, which would continue the development of the KSF. Then at a later stage the political symbolism of full PfP membership could be offered. It would also sit comfortably with NATO's partnership policy that was endorsed at the Foreign Ministers meeting in Berlin on 15 April 2011.[246] Nonetheless, the key to the further development and effectiveness of the broader security sector in Kosovo would still be membership of PfP, as the programmes of governance and security management would reach far beyond the KSF. This step will remain a challenge for NATO to finesse in the short- to

[243] Interview N4.
[244] Some countries are unilaterally drawing down their troops or, like Sweden, are re-assigning the few troops they have to be SSR advisers. See Interview K9.
[245] Interviews K23-N and K24-N.
[246] The NATO Partnership Policy was endorsed by NATO Foreign Ministers in Berlin on 15 April 2011. See: NATO (2011).

medium-term but the offer of a TCP would enable some progress to be made towards an exit strategy.

The Kosovo Armed Forces

The discussion above, concerning the handover of tasks to the KSF and Kosovo's possible membership of PfP, was set in the context of a political decision within NATO, where Kosovo is merely the supplicant. There are, however, alternative scenarios, which will now be analysed.

During 2012 the Kosovo Government launched a Strategic Security Sector Review (SSSR),[247] which reported its findings in June 2014. NATO and KFOR were not directly involved in its deliberations, but the SSSR process and its findings have had an impact on Kosovo's security sector, so there is a need to highlight a few points about it. Given the paralysis over Kosovo within NATO, the US decided to lead the assistance for the SSSR. In Pristina this meant the US Defence Attaché, who had no experience of policy or SSR related work and thus was not particularly well-suited to such a coordination role.[248] The Pentagon provided the funding for a private contractor, the Defence Institutional Reform Initiative (DIRI), to assist in the process. DIRI's core business is defence institution building and it had little experience in the broader security sector.[249] Thus their approach tended to be focused on the KSF and this was exacerbated by a decision to have the Minster of the KSF chairing the committee, which mitigated against a holistic approach.[250] [251] Florian Qehaja argued that:

[247] This was Kosovo's second attempt to produce an NSS in line with the recommendation of the 'Comprehensive Proposals'. The first attempt was in 2009-2010 and was eventually re-written by some members of the ICO and was never formally adopted. For details see Qehaja & Blease (2013).
[248] Interview K2.
[249] For further information on DIRI see their website: http://www.dsca.mil/programs/defense-institutional-reform-initiative [Last accessed 19 April 2016].
[250] Interview K8.
[251] In attempting to cut back on numbers at meetings, DIRI arbitrarily cut out organisations like the Ministry of Finance. It had to be pointed out to them that the Ministry of Finance are actually quite important in the whole process, as they are the ones that allocate resources. (See Interview K2.)

> "... the lack of institutional expertise, especially in institutions indirectly related to the security sector within the SSSR [...] and lack of cooperation and efforts of line ministries, have seriously challenged the SSSR process. Furthermore, this process has not provided an inclusive and transparent approach, in which civil society, independent experts and media would be actively involved." (2013:10)

It was therefore another missed opportunity for a holistic NSS review in Kosovo, which would create security institutions that function as a system. Nonetheless, the most significant aspect of the DIRI-sponsored SSSR process for NATO was that it recommend transforming the KSF from a civil defence organisation into the Kosovo Armed Forces (KAF). The KAF's roles would then include preserving the territorial integrity of the country, providing military support to civilian authorities in disaster and participation in peacekeeping operations. In 2016 the Kosovo Government is in the process of implementing this recommendation. Its plan is laid out in the KSF's 2014 and 2015 Annual Reports. Its intention is to develop and then put in place the legal and constitutional changes required in 2014-2016 and make the organisational and doctrinal changes thereafter. [252] This approach, which was presumably endorsed internally by the US Government,[253] meant that the transformation began in 2014 without the specific agreement of NATO.[254]

There are perhaps two technical points worthy of note about the planning activities contained in the KSF's Annual Reports. First, whilst there is mention of achieving PfP and NATO standards, these are merely declaratory statements. There is no timeline to apply formally for PfP or NATO

[252] For more detail see: KSF, *Annual Report 2014*, dated December 2014. Available at: http://mksf-ks.org/repository/docs/Anual_Report_of_MKSF_for_2014__english2.pdf [Last accessed 12 April 2016]; and in: KSF, *Annual Report 2015*, dated January 2016. Available at: http://www.mksf-ks.org/repository/docs/Raporti_Vjeotr_2015_angFINAL_compressed.pdf [Last accessed 12 April 2016].
[253] The assumption is that as the Pentagon funded DIRI to lead the SSSR, they would not have allowed for its final report to contain recommendations it did not agree with.
[254] Article 5.3 and Article 5.4, Annex VIII of the 'Comprehensive Proposals' stated that the limits and tasks need to be agreed by the IMP (ie NATO) in coordination with the now defunct ICR. (UN 2007b)

membership.[255] It is perhaps the opposition of the four non-recognisers within NATO that have prompted a reticence on the part of Kosovo. This might be linked to the second technical point. It would seem likely that the Kosovo Government has been advised by its close international allies (eg the US and UK) to have a time-pause between the declaration of the formation of the KAF and its implementation. This might, conceivably, provide sufficient political time in order to persuade all the NATO allies that the best route to peace and stability in Kosovo would be to have a continuation of NATO's oversight through membership of PfP rather than through the deployment of 4600 KFOR troops in the country. It does raise again, however, the point made by Admiral Fitzgerald about the lack of direct political input from NATO HQ to the KFOR mission.

There is a final, more strategic point that should be analysed before bringing this section of the thesis to a close. As mentioned earlier, the decision to establish the KAF was made without NATO's agreement as set out in Ahtisaari's plan. This has prompted a legal and political debate concerning the continuing relevance of the 'Comprehensive Proposals'. Dr Robert Muharremi (2016) argues cogently that the closure of the ICR mission and the subsequent changes to both the constitution and primary legislation mean that there is now no legal or constitutional obstacle to Kosovo deciding for itself what form of self-defence force it wants, what it is called and how it should be organised. As Kosovo is not yet a member of the UN, the International Court of Justice (ICJ) has confirmed that Kosovo has no legal requirement to implement Security Council resolutions, including UNSCR 1244.[256] In the same way that Kosovo invited NATO into the country to maintain a 'safe and secure environment' during its declaration of independence, it could presumably withdraw that invite and force KFOR to depart.

[255] This is an issue which prompted considerable discussion in Avdiu (2015:18-23)
[256] This was set out in the ICJ's ruling that Kosovo did not contravene international law by declaring independence. See: The Hague Justice Portal, *ICJ Rules on Kosovo's Declaration of Independence*, dated 23 July 2010. Available at: http://www.haguejusticeportal.net/index.php?id=11906 [Last accessed 23 June 2016].

It is highly unlikely that this would be an approach that the Kosovo Government would take but by 2017 it is now up to NATO, as a serious political Alliance, to galvanize itself into effective action. Although NATO and KFOR have continued to support the development of the security sector in Kosovo for a number of years, there is little doubt that it is currently adopting a holding pattern rather than encouraging Kosovo towards a situation where it takes on responsibility for security from KFOR. Offering a TCP and then membership of PfP, combined with assistance through a new, smaller advisory mission would seem to be a much more stable option for both Kosovo and the Region than indulging in sterile inaction.

Notwithstanding this current impasse, there are many lessons that NATO could learn from its support to the development of Kosovo's security sector, which could be used in the future. It is now appropriate to discuss and synthesise some of the issues that have been raised in the previous sections.

DISCUSSION AND SYNTHESIS

The structure of this section follows the analytical framework that was developed in Chapter 2. The first section focuses on the context of reform.

The Context of Reform

The context of Kosovo is just as complicated as BiH but different and has helped shape the history of both the country and the region, as well as current events. In order to understand the complexities and meanings inherent in this case study, there is one additional, but significant factor, which needs to be taken into account - and that is the position that Kosovo finds itself on the world stage.

It is proposed to examine the context in four parts: geo-strategic interests in Kosovo; historical, drawing upon the overview at the start of this Chapter;

regional, drawing upon the current political and security environment; and local attitudes and narratives, drawing mainly upon data collected from interviews.

Geo-strategic Interests in Kosovo

It is perhaps an irony that a new state half the landmass of Wales would be the subject of geo-strategic interest but this would appear to be the case with Kosovo, which seems to be on the border of various spheres of interest. There are four international powers that have a political interest in Kosovo and continue to wield influence there: they are the US, the EU, NATO and the Russian Federation. For none of them is that interest particularly major, nor does that interest now have much of a security dimension. Nonetheless, all four international powers are still active players in both Kosovo and in the region. It is now intended to analyse briefly their activities and the reasons for the continuing interest.

From the historical section of this Chapter it should be clear that the US took an active role both in creating the political will to remove Serbian security forces from the province in 1999 and latterly was key in securing Kosovo's 'coordinated independence' within the international community. During the imbroglio surrounding the constitutional crisis over the election of Kosovo's President in early 2011,[257] the US Ambassador to Kosovo, Christopher Dell, also took the lead:

> "... [T]here was this famous agreement that was reached between the three main Party leaders: Mr Thaçi, PDK, Mr Mustafa for LDK and Mr Pacolli [...AKR]. And the agreement was basically to agree on a common candidate for President as well as [...] to launch a comprehensive electoral reform which the EU had also asked for after the elections. [... T]his Agreement, which was brokered and witnessed and signed in fact by the US Ambassador, which was very much

[257] There was a constitutional challenge to the election of billionaire businessman, Behgjet Pacolli. For background see: Balkan Insight, *Kosovo Opposition to Appeal Presidential Election*, dated 24 February 2011. Available at: http://www.balkaninsight.com/en/article/kosovo-presidential-vote-was-unconstitutional [Last accessed 6 June 2016].

considered like the top of the interference into internal domestic politics at that time. […Dell produced ...] an envelope [...with...] a name and the name contained was the current President Jahjaga's name. She obviously used to be the Deputy General Director of the Kosovo Police. She had already before, sort of had been very much supported by the US and she was very much appreciated also in her previous role and this is how she came at all into the whole picture. [...] So this was obviously the tip of the iceberg in terms of the interference of the US Ambassador in internal domestic politics, but there have been many other occasions and in fact after his departure things have changed quite a lot. It is very obvious to everyone that his successor has been told very clearly to assume a low-profile position, which doesn't mean that the US is less active, I would not say so necessarily, but it is just a different style you know that is being used. And there is I think overall a bit more of sort of local ownership…." [258] [259]

The role of the Pentagon-funded DIRI organisation in formulating the Kosovo SSSR would not necessarily offer support for that view, although the current US Ambassador, Greg Delawie, has attempted to be much more emollient in his approach.[260] The key question that still remains, however, is why the US remains so involved with Kosovo. It would seem in part to be the strong lobbying power of the Albanians in the US, partly the need to prevent the continuation of another frozen conflict in Europe by ensuring the normalisation of Pristina-Belgrade relations, and partly because Kosovo is such an enthusiastic supporter of the US. There are probably few places in his own country that Vice-President Biden would receive the rapturous reception that he

[258] Interview K4.
[259] A US Ambassador suggesting to three party leaders in a sovereign state who they should choose as their next President seems somewhat far-fetched but it would appear to be true. The background to Jahjaga's selection appeared on Wikileaks but has since been removed. For further commentary on the event, see: Balkan Insight, *Dell: A Clever Politician With Bite*, dated 12 January 2015. Available at (half way through article): http://www.balkaninsight.com/en/article/dell-a-clever-political-animal-with-bite [Last accessed 6 June 2016].
[260] For example, see: US Embassy, Pristina, *Ambassador Delawie's Interview with Zeri*, dated 28 December 2015. Available at: http://pristina.usembassy.gov/amb_interview_zeri_1_2015.html [Last accessed 6 June 2016].

managed during a visit to Kosovo in May 2009.[261] Perhaps the final reason that Kosovo remains of geo-strategic interest to the US is that (at least in private and in classified diplomatic traffic) the US believes that the EU is 'out of its depth' in Kosovo and that strong leadership is still needed from the US.[262] This is as true in 2015 as it was in 2009, albeit that the style may now be much lower-key.

Turning to Russia, it was in 1999 that the first former Warsaw Pact countries joined NATO. This caused much concern within the Russian Federation but there was nothing it could do to prevent the eastward expansion of the Alliance. Not only did Russia perceive itself to be weak, it also perceived that the US and NATO were capitalising on that weakness. Thus the tone of the 'Fourth Chair', the unilateral way that the US appeared to lead efforts to subdue Russia's ally, Milošević, and the way that Russia's power (and veto) in the UN Security Council was circumvented, all seemed to highlight that weakness. By adhering rigidly to UNSCR 1244 since then, Russia has been able to block Ahtisaari's 'Comprehensive Proposals'. It has then been able to constrain the US drive for Kosovo's independence, as well as tacitly offering some support to their Orthodox brethren in Belgrade, and thus maintain a level of influence in the Region.

Whilst it was unable to prevent Kosovo's 'coordinated independence' in 2008, it has used the Western approach to Kosovo to justify its own actions for invading Georgia and then subsequently recognising Abkhazia and South Ossetia. Russia's bullish approach, and its restored pride as a country, can best be summed up in the words of President Medvedev following talks about Georgia with President Sarkozy of France in September 2008:

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[261] For example, see: BBC News, *No Going Back For Kosovo, Says US*, dated 21 May 2009. Available at: http://news.bbc.co.uk/1/hi/world/europe/8061218.stm [last accessed 8 June 2016]; and see: US Embassy Pristina, Statement from the U.S. Embassy Pristina dated 22 May 2009. Available at: http://pristina.usembassy.gov/press_05222009.html [Last accessed 23 May 2016].

[262] US Diplomatic Cable 000183, *Scene setter for Visit of Vice President Biden*, dated 9 May 2009. Available at: https://www.theguardian.com/world/us-embassy-cables-documents/206267 [Last accessed 8 June 2016].

> "I have already characterised it as the phantom pains felt by those who are determined to see the Russian Federation as a new version of the Soviet Union. Russia is not that, but **it is a country that has to be reckoned with**." [263]

As a consequence of Russia's annexation of Crimea and involvement in Eastern Ukraine, as well as the subsequent shooting down of MH117 in July 2014, the EU and the US imposed a raft of sanctions on key Russian individuals and businesses.[264] Although Russia has made light of these sanctions, there has been damage to both its economy and its self-esteem. Russia will therefore take virtually any opportunity on offer to exact revenge on the US and EU, and UNSCR 1244 continues to provide that opportunity. That is why Kosovo is still of geo-strategic interest to Russia.

Jacque Poos' immortal words 'the hour of Europe has come'[265] was not just an acclamation that the EU was taking its place on the world stage but also a vision for all of Europe to be united within the Union. This was formally articulated to include the Western Balkans in the EU's Thessaloniki Accords[266] of June 2003. Thus both Kosovo and Serbia are included in the EU's political vision for the future, albeit not necessarily until their standards of rule of law and governance are at a sufficiently high level. The presence of EULEX with its emphasis on Chapter 23 (Justice and fundamental human rights) and Chapter 24 (Justice, freedom and security) of the EU's *'acquis communautaire'* is testament to the desire to prepare Kosovo for candidate status.[267]

There are three significant issues for Kosovo within the EU. First, whilst there are a number of EU member states that are clearly suffering from enlargement

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[263] Kremlin, *Press Conference following Talks with President of France Nicolas Sarkozy*, dated 8 September 2008. (Emphasis added.) Available at: http://en.kremlin.ru/events/president/transcripts/1330 [Last accessed 7 June 2016].
[264] BBC, *Ukraine crisis: Russia and sanctions*, dated 19 December 2014. Available at: http://www.bbc.co.uk/news/world-europe-26672800 [Last accessed 7 June 2016].
[265] As quoted in Chapter 1.
[266] European Commission Press Release Database, *EU-Western Balkans Summit Thessaloniki*, dated 21 June 2003. Available at: http://europa.eu/rapid/press-release_PRES-03-163_en.htm [Last accessed 7 June 2016].
[267] Interview K4.

fatigue, most still recognise that there is a need to maintain stability and establish the rule of law within the European landmass. (Ker-Lindsay & Economides 2012:87) Not least there is real concern about organised crime originating in Kosovo and permeating through to the EU. Second, according to FRONTEX, Kosovars are the largest number of refugees, other than from conflict zones, using the Western Balkan migration route to enter the EU illegally.[268] It is therefore in the EU's interest to stem that uncontrolled migration. Third, there are five EU member states which do not recognise Kosovo's independence[269] and this severely complicates the EU's actions in the country.

Finally, the EU-brokered Pristina-Belgrade normalisation process rests upon both sides accepting a degree of fiction: Pristina that their Serb minority will accept the primacy of the government of Kosovo; and Belgrade that it won't have to give up Kosovo. There will come a moment, however, when both these fictions will need to be confronted. The most likely outcome would seem to be that those Kosovo Serbs who do not wish to accept the primacy of Pristina will merely leave for Serbia. For any Serbian government which wishes to become a member of the EU, there will be a final realisation that this will not be possible unless they recognise Kosovo and accept that Kosovo has a seat in the UN. This putative approach from Brussels has less to do with its individual relationships with Kosovo or Serbia, but everything to do with the extremely difficult situation that was created when Cyprus was invited to join the Union with similar territorial problems. Kosovo will therefore continue to be of geo-strategic interest to the EU.

[268] See: FRONTEX, *Western Balkans Annual Risk Analysis 2015*, dated May 2015, page 5. Available at: http://frontex.europa.eu/assets/Publications/Risk_Analysis/WB_ARA_2015.pdf [Last accessed 16 June 2016]. This situation will be changing as the European Commission has now agreed to offer visa liberalisation to Kosovo as long as certain conditions are met. See: EC, *European Commission proposes visa-free travel for the people of Kosovo*, dated 4 May 2016. Available at: http://europa.eu/rapid/press-release_IP-16-1626_en.htm [Last accessed 16 June 2016].

[269] For the EU they are: Cyprus, Greece, Romania, Slovakia, and Spain. All five non-recognisers have domestic reasons for their positions.

As discussed earlier in this chapter, NATO's consensus was severely tested in the lead up to the Kosovo operation, as was Alliance unity. At this stage Kosovo was clearly of geo-strategic interest. All the NATO member states, and many PfP countries, then rallied behind the banner of UNSCR 1244 and by the end of 1999 NATO had 50,000 troops stationed in Kosovo. Since then KFOR and its mission has gradually slipped down the priority list at HQ NATO Brussels. NATO contributions to Afghanistan, Iraq and Libya have all served to distract resources and political capital.

If Ahtisaari's 'Comprehensive Proposals' had been endorsed by the UN Security Council, it seems likely that NATO would gradually have reduced the level of troops in-country to a few hundred and the support to Kosovo might be similar to that offered to both BiH and Macedonia. The fact that KFOR still operates under the UNSCR 1244 mandate and that four members of the Alliance do not recognise Kosovo's independence, means that the mission is politically very sensitive. It is therefore difficult for NATO to reduce KFOR's numbers to a sensible level and tailor the support for both the KSF and its ministry in an appropriate manner. In effect the non-recognisers are holding the KFOR mission at an artificially high number and there is little sign of the numbers reducing. At 4,600 troops, KFOR remains NATO's second largest operational mission. For these reasons, Kosovo and its continuing stability is of geo-strategic interest to NATO and it would now be appropriate to continue the analysis of the UNSCR itself.

Historical Context and the Impact of UNSCR 1244

The second part of this section is devoted to the historical context of Kosovo and especially the impact of UNSCR 1244 on the reform process in the country. Much of the early part of this Chapter has been vested in discussing the context but it is worth recalling the degree of autonomy that Kosovo enjoyed until 1989 and the non-violent approach it initially took to the irredentist nationalism of Milošević. Many scholars regarded the subsequent increase in violence and

the progressively strident demands of the KLA as entirely predictable. (Pond 2006:11; Mazower 2001:140; Weber 2008:14) The wholesale ethnic cleansing of Kosovo-Albanians in 1998-1999 and the eventual ejection of all Serbian security forces in the summer of 1999 seemed to herald a new beginning for Kosovo as an independent state. This was not to be, as the UN had created a UNSCR that allowed a NATO intervention but did not allow an independent Kosovo.

UNSCR 1244 is a curious beast and, in its own way, quite unlike other Security Council resolutions for two fundamental reasons. First, most resolutions that pertain to the launch of missions, be they by the UN or some other organisation, have a duration of one year. This means that they have to be formally renewed annually, which gives an opportunity for changes in circumstances on the ground to be reflected in the mandate. UNSCR 1244 has no end-date[270] and therefore any proposed termination or modification of the resolution can be blocked in the Security Council. Effectively this is the situation today with Russia enjoying the discomfiture of the US, the EU and NATO. The second reason is that it re-confirmed the sovereignty and territorial integrity of the FRY[271] (and now Serbia), notwithstanding that the UN appeared to have been complicit in the expulsion of all Serbian security forces from Kosovo, under whose sovereignty it falls. There seems to be a paradox here. The UNSCR statement on sovereignty then allows, however, for Russia and China to maintain their long-standing resistance to external interference in the internal affairs of a country, which has resulted in the international practice of tending "... to favour territorial unity over the granting of independence." (Weller 2008B:24)

As has been shown earlier, NATO and KFOR continue to be constrained by UNSCR 1244 in the support that they provide to Kosovo but in some ways it also provides an excuse for not being particularly proactive. A senior official in

[270] Interview R2.

[271] Weller (2008B:23-24) does point out, however, that it could be argued that the commitment to Serbia's sovereignty over Kosovo only referred to the 'interim' period under UN administration, rather than once the final status of Kosovo had been decided upon. This is not how Russia interprets it and, as it has a controlling vote in the Security Council, the issue would seem to be academic.

the IS commented that: "... not very much happens on Kosovo now; not much attention is given to it here; it just sort of burbles along at its own pace."[272] Not only would this comment seem to indicate that Kosovo is no longer very high on NATO's priority list but also that there are neither the ideas or political will to resolve the current impasse. Certainly there are those in Kosovo, like Dr Robert Muharremi, who also see no rush to change the *status quo*:

> "... it really doesn't hurt at this stage for NATO to exercise powers under Resolution 1244 to the extent that NATO doesn't really interfere with the internal affairs of Kosovo and Kosovo's foreign policy, which NATO doesn't do. NATO just has a monopoly of [... the ...] use of military force inside Kosovo and with respect to Kosovo, under its mandate and Resolution 1244." [273]

There are far more in Kosovo, however, who are desperately keen to end international oversight and the level of dependency that it has created, and take full responsibility for their own affairs.[274] There are also practical problems by still being officially subject to UNSCR 1244. A senior policeman told the researcher that the Kosovo Police is still not a member of Interpol or Europol, and any communication to those organisations has to be made via UNMIK or EULEX.[275] This issue was also mentioned by security researcher, Abit Hoxha:

> "[If ...] we take a hypothetical case – we arrest a person and we want information from Europol. We can't contact them directly, not even an email, [...] we need to send an e-mail to either EULEX or UNMIK [... and one of them ...] will send it to Europol, and it takes about a week. And by that time, by Kosovo constitution and international Human Rights Law, you can't keep the guy in custody." [276]

So whilst there are political as well as practical reasons for drawing UNSCR 1244 to a close, the key problem for NATO is the enduring commitment of

[272] Interview N6.
[273] Interview K8.
[274] For example, Interviews K1, K3 and K14.
[275] Interview K25. This was also confirmed by a member of EULEX in Interview K4.
[276] Interview K5.

personnel in KFOR, much of which is not required in its current form.[277] The continuation of the UNSCR also hinders the prospect of NATO and EU membership and thus weakens the potential leverage offered by that membership. This conditionality is discussed further in the section below.

Regional Context

The third part of this section is a regional context. All of Kosovo's neighbours are members of PfP, except Montenegro which joined the Alliance in June 2017. NATO also has representation in three of the bordering countries, so it is well placed to assist in facilitating relationships between all of them. This is then reinforced by the role of COM JFC Naples, who is the operational commander for all NATO troops in the Western Balkans and attempts to look at issues through a regional lens. The difficulty for Kosovo is that it has no formal relationship with HQ NATO Brussels[278] and thus it is unable to take part in PfP organised training events, which tend to be ideal opportunities to work with other regional actors. It has to rely mainly on bilateral agreements with individual neighbours such as through MOUs. As a former UK Defence Attaché in the region pointed out:

> "I think is encouraging is that we've seen a growth in the numbers of MOUs and state to state bilateral and regional activity. Kosovo has MOUs with all its neighbours except the obvious one." [279] [280]

The 'obvious one' is of course Serbia. Usually, if Kosovo states its intention to attend a security forum or event in the region, then Serbia declines the invitation.[281] One forum where this has changed since the Pristina-Belgrade agreement of 2013 is the US-Adriatic Charter[282] meetings, where both countries

[277] As argued in the previous section.
[278] Interviews K12 and K22.
[279] Interview R2.
[280] Memorandum of Understanding (MOU).
[281] Interview R2.
[282] The US-Adriatic Charter was the brainchild of US Secretary of State Colin Powell and brought together three aspirant members of NATO from the Region: Albania, Croatia and

are now represented, albeit in observer capacities.[283] Unsurprisingly, Lieutenant General Kastrati, COMKSF, has been very positive about the Kosovo's relationships with its neighbours:

> "They have visited me, I have visited them, so Montenegro, Macedonia, Albania, Croatia. And I send message to them [*sic*] that future Kosovo Army will be good for all neighbours and will be a force for regional stability."

Whilst NATO is not directly involved with the A5, members of the Balkans headquarters are often invited to attend meetings, and NATO HQ Brussels fully supports the process.[284] The JFC Naples regional approach also includes regular coordination meetings of NATO commanders in the Western Balkans in order to establish synergies between the various HQs, including the NLAT in Kosovo. These meetings seek to identify common areas of best practice in assisting their respective host nations with their defence reforms.[285] The contexts are all different but there is some similarity in the key themes.

Local Attitudes and Narratives

The fourth part of this section concerns the local attitudes and narratives which shape the context of reform for Kosovo. In the same way that the constituent people of BiH view NATO through their own individual *Weltanschauung*, so do the people of Kosovo. The Kosovo-Albanian perspective is relatively straight

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Macedonia. In time two additional countries joined the group: BiH and Montenegro. The group became known as the Adriatic 5 or A5. There are two observer countries: Kosovo and Serbia. For details see: US Department of State, *Factsheet on Adriatic Charter*, dated 25 August 2011. Available at: http://www.state.gov/p/eur/rls/fs/112766.htm [Last accessed 30 June 2016].

[283] For example, the Minister of KSF and the State Secretary of the Serbian MoD attended the A5 Defence Ministerial in Dubrovnik on 21 October 2015. See: NCIA, *Joint Statement of A5 Defence Ministerial*. Available at: https://www.ncia.nato.int/Documents/CRM_SEE_2015_Joint_Statement_A-5.pdf [Last accessed 30 June 2016].

[284] For example, the Secretary General of NATO delivered the keynote speech at an Adriatic Charter meeting in 2011. See: NATO, *NATO and the Western Balkans*, dated 29 June 2011. Available at: http://www.nato.int/cps/en/natohq/opinions_75860.htm [Last accessed 12 February 2016].

[285] For example, see: JFC Naples, *JFC Naples conducts 4th Balkan Working Group Meeting*, dated 11 September 2015. Available at: https://www.jfcnaples.nato.int/page6814941/jfc-naples-conducts-4th-balkan-working-group-meeting [Last accessed 20 June 2016].

forward.[286] The ethnic cleansing of three quarters of a million ethnic-Albanians by the Milošević regime during the 1998-1999 conflict was regarded as grotesque and removed any possibility of a future rapprochement with Serbia.[287] The evidence of extra-judicial killings is still fresh in most Kosovo Albanian minds. (Judah 2008:88-89)

The other side of this coin is presented by the Kosovo-Serbs. The Serbian attitude to the 'holy land' of 'Kosovo and Metohija' has already been well covered. The actions of the Serbian security forces in Kosovo during the period 1998-1999 is only partially acknowledged as 'unfortunate events' and both the Kosovo Serbs and the political leadership in Belgrade tend to airbrush out any inconvenient facts from all discussions of Kosovo. (Gowan 2008:6) There is also a strong belief that the actions against the Albanians were not comparable to the rampage inflicted on the Serbs (and minorities such as the Gorani and Roma) by the triumphant Kosovo Albanians in the aftermath of the NATO intervention. Tens of thousands of Serbs fled to Serbia at that time and very few of them have returned. Suddenly Kosovo Serbs felt that they were a minority in their own country and this has led to a sense of disenfranchisement. Even the Pristina-Belgrade agreement of 2013 has been seen by many Kosovo Serbs as a betrayal by Belgrade but it has also recognised that it is a means of extracting further concessions from the Kosovo government. Thus, any narrative from NATO in Northern Kosovo would have to pass through a strongly negative filter in order to have an impact.

Political Engagement

A key point for NATO to draw from the discussion above is that progress on reforms can only be made through political means but, as has been argued in

[286] Much of the next two paragraphs was first published by the researcher in Blease (2011:179-181)
[287] For example, see: Weller (2008:15-16). And, Holbrooke, Richard: *Russia's Test in Kosovo*. In: Washington Post, 13 March 2007. Available at: http://www.washingtonpost.com/wp-dyn/content/article/2007/03/12/AR2007031200972.html [Last accessed 10 March 2016].

Chapter 2,[288] every facet of an IGO's role in a post-conflict country will have a political dimension. For example, NATO support to border control or improvement of the security sector north of the River Ibar, requires a high degree of political sensitivity and understanding of the nuances of the area. The simple reason for this is that it is the interface of the politics for both Pristina and Belgrade.[289] The research would seem to suggest that KFOR lacks this highly nuanced type of political awareness,[290] which can only be gleaned by constant political engagement with all actors. Although COM KFOR has a political advisor, the individual is not normally of the background, experience or rank of an ambassador, so does not have the gravitas or clout to deal with tricky issues on the ground nor the sensitivities of the non-recognising countries in NATO HQ Brussels.

Given the sensitive situation on the ground, it is clear that NATO needs a higher level of political representation in Kosovo than it currently has. A member of the international community in Pristina,[291] who attended a briefing of the NAC when they visited Kosovo, suggested that an option of appointing a NATO Senior Civilian Representative (SCR) was discussed.[292] It would seem, however, that COMKFOR was less than enthusiastic about the possibility and nothing more has been heard about the idea. This issue will be returned to in the next Chapter.

KFOR conducts a series of routine meetings with members of the government of Kosovo, as well as other members of the international community but the general opinion is that they are mostly formulaic and for show rather than to coordinate major issues such as reform.[293] There would seem to be just a few exceptions to this. First, there are those senior individuals, such as the Head of

[288] See section entitled: 'Political Engagement', Chapter 2.
[289] Interview K5.
[290] Interviews K9 and K14.
[291] Interview K2.
[292] There was an SCR reporting directly to HQ NATO Brussels at one stage in Macedonia and there currently still is in Afghanistan.
[293] Interview K2 as well as the researcher's direct observations of the meetings he attended during his filed trips to Kosovo.

the NLAT, who work daily with the KSF and its ministry.[294] Second, COM KFOR and some of his political staff quite sensibly reach out to local security institutions for local feedback. As Shpend Bursani explains:

> "NATO Officials pay some visits to our institute in order to brief us and get some updates and see what we have to say, so these are some regular meetings we have with KFOR." (Interview K3)

Given the importance of political engagement to the support of SSR, it is surprising how little KFOR seems to be doing. As a substantive method of creating impetus for local ownership, it is clearly an area for improvement.

Local Ownership

The contradictions of local ownership that were discussed for BiH in Chapter 5 are also present in Kosovo. Security was a 'reserved' competency[295] to UNMIK (and also KFOR) until Kosovo became independent, so local security actors became used to being directed by somebody else. Even since independence EULEX has retained executive and substitution powers over the justice sector and KFOR still has responsibility for a 'safe and secure environment'. This is a situation that has caused Welch to lament:

> "[W]e all say local ownership is paramount; it's never going to work unless there is local ownership, and then we go down there and we dictate." [296]

David Chandler (2006) has been vociferous in his criticism of the international community's statebuilding agenda in the Western Balkans and its concomitant lack of accountability. Certainly NATO/KFOR's record in this regard has been mixed in all three phases of the development of Kosovo's security sector. In the

[294] Interview K24-N.
[295] For details of the competencies 'reserved' to the SRSG see: UNMIK Regulation No. 2001/9, *On A Constitutional Framework For Provisional Self-Government In Kosovo*, dated 15 May 2001. Available at: http://www.unmikonline.org/regulations/2001/reg09-01.htm [Last accessed 29 June 2016].
[296] Interview K15.

period immediately after the intervention, Generals Clark and Jackson did engage directly with the leadership of the KLA in order to secure the DDR that was required under UNSCR 1244. It could be argued that this was a contractual relationship which suited both sides and thus both sides 'owned' the result. In the early years of KFOR's mandate this changed as trust between it and the KPC eroded,[297] as well as the formation of the KIKPC in 2003, which created a more adversarial relationship than was evident with its predecessor, the JIC.[298]

The NATO team in UNOSEK paid particular attention to the principle of local ownership but was constrained by both the political dynamic between Pristina and Belgrade, as well as individual members of the Contact Group, such as Germany. The role of the ISSR was pivotal in reaching out to ordinary citizens within Kosovo and securing their views on a raft of security-related issues, and these were then reflected in the security annexes of the 'Comprehensive Proposals'. The key measure in the proposals, however, was the requirement for the Kosovo government to develop a full NSS, with the avowed intent of creating local ownership.[299] Unfortunately the first attempt to develop one in 2009-2010 was hijacked by some internationals in the ICR[300] and "... the document was quietly dropped from view by the Kosovo authorities and never implemented." (Qehaja *et al* 2013:16) The second attempt in 2012-2014 was better but was US-led, ignored civil society, and unduly focused on the KSF. [301] The lack of transparency and narrowness of the approach meant that it never really created a sense of ownership within the broader Kosovar community.[302] KFOR was not directly involved in this latter process[303] but it would seem reasonable to assume that the NAT, as it was based inside the KSF Ministry, would probably have been consulted. In summary, the idea to include the

[297] Corruption and links to terrorist incidents within the membership of the KPC played its role in the change.
[298] See the section in this Chapter entitled: 'Early Days:1999-2005', in 'NATO SUPPORT TO SECURITY SECTOR DEVELOPMENT IN KOSOVO'.
[299] See section in this Chapter entitled: 'NATO Support to UNOSEK: 2006-2007'.
[300] Interviews K8 and K15.
[301] See section in this Chapter entitled: 'The Kosovo Armed Forces'.
[302] Interviews K1, K13 and K14.
[303] Interview K24N.

requirement to conduct an NSS in Ahtisaari's plan would appear to have been sound but the execution in Kosovo was poor.

In the third phase of the development of Kosovo's security sector, NATO's decision to adopt the 'new tasks' that were both developmental and advisory was sound and supported the principle of local ownership. It was the setting up of both the NAT and the NLAT that demonstrated a change in approach to the local actors, with the fundamental shift to advising rather than directing, and collocating the teams with their hosts. With regard to these changes a senior official in the IS stated that:

> "... if you leave aside the PRTs in Afghanistan – this is the clearest example of Security Sector Reform that NATO is involved in. And it's not particularly well known because of course with the sensitivities of some NATO nations vis-à-vis Kosovo's independence, and having a government rather than just institutions in Kosovo, NATO really doesn't want to make much of a public meal of this. But it's there." [304]

The one aspect of support that NATO has yet to offer, and which would undoubtedly increase local ownership, is the progression to a TCP and then PfP membership. This lack of involvement in the decision-making process has caused frustration within Kosovo and as one member of the KSF Ministry suggested:

> "The whole point is to sit at the table together and discuss our future, rather than our future being discussed in NATO without us being present there." [305]

It is worth remembering, however, that NATO is not the only international actor interfacing with the security sector in Kosovo. Aside from international organisations such as EULEX and the OSCE, several bilateral embassies have

[304] Interview N6.
[305] Interview K12.

provided assistance and advice. The US has been particularly prominent[306] with the 'State Partnership Program [*sic*]' and the Iowa National Guard.[307] [308] As the incident of US Ambassador Dell and the suggestion of the presidential candidate[309] would indicate, however, the US assistance borders on meddling directly in Kosovo's internal affairs but then Kosovo allows this. It not necessarily a recipe for establishing local ownership.

Other countries have adopted a completely different approach to the US. As Tony Welch explained:

> "There are some nations prominent in Kosovo at the moment who believe that the international community should actually come hands-off in the security sector and allow them to get on with it, and [..] as one prominent diplomat there said to me, we mustn't do it for them." [310]

On that last telling point, it would be appropriate to turn now to the issue of governance.

Governance

There seemed to be broad agreement amongst the interviewees for this research that Kosovo had a reasonable governance framework but that it was not always applied consistently. For example, an official from EULEX suggested that Kosovo had:

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[306] Interviews K3, K13 and K14. An example of assistance that has discussed earlier in the Chapter is the DIRI-led SSSR process.
[307] Interview K17.
[308] The US 'State Partnership Program [*sic*]' is a partnership arrangement between US National Guard units and twenty-two partner countries, including Kosovo. It is designed to: "... span military, political, economic and social realms and are characterized by building enduring personal relationships. The program features scalable cooperative activities via local, state and national conduits as it opens doors to the full depth and breadth of U.S. capabilities." For details see: US European Command, *National Guard State Partnership Program*. Available at: http://www.eucom.mil/key-activities/partnership-programs/national-guard-state-partnership-program [Last accessed 29 June 2016].
[309] Discussed in the section entitled: 'Geo-strategic Interest in Kosovo?'
[310] Interview K15.

> "... a clear institutional and governance framework that however does not always work. I think Kosovo has better laws [...] than neighbouring countries that are far ahead in terms of EU accession but the weak part here is simply their implementation, and the implementation depends on functioning public administration, and the public administration is absolutely not working and is very weak. The capacities are very low." [311]

Notwithstanding a concern that some laws had merely been 'cut and pasted' from other countries and may not be suitable for the context of Kosovo,[312] most interviewees were concerned about circumvention of the laws through corruption[313] and a lack of understanding and knowledge of how to apply the governance framework within the security sector.[314] Without necessarily using it as an excuse, some interviewees suggested that the youth and inexperience of the institutions meant that it would take time for the systems and frameworks to become embedded and for them then to function more effectively and efficiently.[315] Burim Ramadani, who is on the parliamentary oversight committee for intelligence, suggested that education and training were the key to overcoming these deficiencies.[316]

This sounds entirely reasonable but, as Shpend Bursani suggested, there is a danger that the longer a framework allows itself to be circumvented then:

> "... they're installing also a culture of impunity, a culture where even these good guys that come out of university, actually this becomes a norm for them and they just think that being part of the Government and governing is actually accumulating capital for yourself and your people and your group. It just becomes the norm if this continues for long."

[311] Interview K5.
[312] Interview K13.
[313] For example, Interviews K1, K3, and K19.
[314] For example, Interviews K1 and K3.
[315] For example, Interviews K12, K20 and K25.
[316] Interview K1.

NATO's role in providing support to governance within the Kosovo security sector has been minimal. KFOR provided support to the KPC with their internal rules and regulations but since Kosovo's declaration of independence and the politicisation of the situation, KFOR has been remarkably mute. JFC Naples provided some assistance to Kosovo in drafting laws and regulations for the KSF in 2007,[317] and the NAT in the Ministry of KSF has provided advice on the functioning of a ministry in a democracy and the oversight mechanisms.[318] A number of individuals have attended courses at the NATO School Oberammergau and the BI programme, which have been useful for creating individual awareness, but less good for creating institutional capacity in governance. The key to NATO's support in this area would be its contribution through the PfP programmes and, as has been explained earlier, this has not yet been authorised. Given the importance of good (or good enough) governance to the concept of SSR, it is clearly a missed opportunity.

A Holistic Approach and Cooperation

In the early days after the intervention, KFOR worked closely with UNMIK and the other members of the international community. As UNMIK developed into a more bureaucratic organisation[319] with long-serving individuals in key appointments, there seemed to be an increasing level of friction as individuals sought to justify their jobs. As security analyst, Florian Qehaja explained:

> "And of course personal interest is very much prevailing because you have the cases when part of the international community in Kosovo profits from the income that they have by being present in Kosovo. So you have people that really want to stay here because they can get more income than they would get in their country where they come from." [320]

[317] JFC Naples arranged for the NHQSa lawyer in the Sarajevo pol-mil team to provide comments on the draft legislation. See: NHQSa Unreferenced Memo dated 1 June 2007. Copy held by researcher.
[318] Interview K2.
[319] Interview K16.
[320] Interview K14.

Perhaps the high point of cooperation for both NATO and the international community in Kosovo, however, was the period of the status talks. Not only was NATO actively engaged within UNOSEK's team in Vienna but so were the EU, former UNMIK officials and representatives from the Contact Group. In Kosovo NATO had persuaded the Deputy SRSG to chair a Future Arrangements Security Working Group (FASWG) based in Pristina to deal with transitional issues such as vetting for the new security institutions, airspace control, customs and border management.[321] Individuals such as Major General Chris Steirn[322] (KPC Coordinator), Jared Rigg from UNMIK's Advisory Support Unit (AUS),[323] Tony Welch (ISSR Coordinator), J5 planning staffs from JFC Naples and KFOR, and the NATO team from UNOSEK all attended these meetings and contributed significantly to a holistic approach to the development of Kosovo's security sector.[324] Of particular note is the cooperation between the ISSR team and UNOSEK that has been highlighted earlier.[325] With the arrival of members of the ICO in March 2007 the FASWG was dissolved and a new 'Working Group on Security' (WGS) was set up and formally included members of the PISG.[326]

The WGS continued its work until Kosovo's declaration of independence but KFOR's contribution became progressively shrunken under political pressure from the non-recognising countries in NATO. As time wore on KFOR then became increasingly inward looking and seemed to engage less and less with both the local actors and the international community. [327] Those relationships that existed appeared to be fairly superficial and in the opinion of many Kosovars, KFOR officers and soldiers distrusted the local population.[328] This is clearly not a scenario for close cooperation and engagement. To make matters

[321] Various minutes and GANNT charts held by researcher.
[322] The chairmanship of many of the day-to-day FASWG meetings were delegated to Steirn.
[323] In 2015 Jared Rigg was the Head of the SSR Unit in DPKO.
[324] Individual members of the PISG attended later meetings but due to political sensitivities their attendance was never officially acknowledged.
[325] As discussed earlier in the Chapter in the section entitled: 'NATO Support to UNOSEK: 2006-2007'.
[326] Terms of Reference of the WGS and several sets of minutes held by the researcher.
[327] See the researcher's observation of the KFOR group at the Hotel Emerald on 19 June 2013. Recounted at: 'The 'New Tasks': 2008-2015.
[328] Interviews K14 and K19.

worse, several interviewees commented that individual elements of KFOR appeared to be espousing national views rather than NATO views, leading to an incoherent narrative.[329]

After independence the newly established Kosovo Security Council (KSC) became responsible for adopting a holistic approach to the security sector. Unfortunately a combination of internal wrangles within the Kosovo government and a lack of security expertise in the KSC staff has led to a rather dysfunctional approach. As security analyst, Florian Qehaja, suggested:

> "[W]e cannot say that the Sector and the Security institutions, in general from a holistic point of view, are well coordinated. The Security Council, which is supposed to be a coordination body, in addition to an advisory body, is not performing its tasks - as to why, I don't know. It is very weak in the sense that it does not manage to convene regularly. It does not coordinate properly the efforts of the security institutions and broader overflow actors in order to show that there is regular exchange of information." [330]

This lack of institutional capacity in the KSC was brought into sharp relief during the DIRI-led SSSR process in 2012-2014,[331] when the Council was effectively sidelined. The Prime Minster appointed the then Minister for the KSF, Agim Çeku, as chairman of the SSSR oversight committee. As a former Commander of the KLA and then KPC, as well as a former Prime Minister, he clearly had plenty of experience in the security field but his priority was establishing an army for Kosovo, not tending to the issues of the wider security sector.[332] This was a key factor that militated against a holistic approach.

As Burim Ramadani quite correctly pointed out, the SSSR should have included:

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[329] Interviews K3, K14 and K16.
[330] Interview K14.
[331] A more detailed treatment of the process can be found in an earlier section of this Chapter entitled: 'The Kosovo Armed Forces'.
[332] Interviews K14 and K15.

> "... institutions, even if they are not security sector institutions, but they need to be involved [...] like Ministry of Foreign Affairs [...] because they [...] have a role in the National Security architecture. [As well as...] civil society and experts [[...] like academics or others." [333]

Welch neatly summarised the situation when he stated:

> "So, we have ended up with a process that is meant to be holistic, which was designed to be holistic, with Ministers and Deputy Ministers from a number of departments across the Government of Kosovo actually being excluded from the process because it has become totally focused on the future of the KSF." [334]

Although NATO and KFOR were not directly involved in this SSSR process,[335] the genesis of the approach to develop an NSS came from the NATO team in UNOSEK. It therefore seems a missed opportunity that NATO, as the world's premier security alliance, did not offer assistance to Kosovo in conducting the review.

[333] Interview K1.
[334] Interview K15.
[335] Interview K24N.

Technical Issues and Skills

Having stressed the political nature of NATO and KFOR's assistance to the reform effort in Kosovo, it is now proposed to look at the technical issues and skills, which supported that reform. In the early period immediately after the intervention, most of KFOR was involved in the first phase of DDR in Kosovo: the disarming of the KLA. KFOR was also responsible for creating a secure environment on the ground, which consumed most of its resources. It was then rather less involved in the second and third phases of DDR: the demobilisation and reintegration of the KLA. Much of the detailed work was managed by the IOM. Only the JIC within KFOR, and then latterly the KIKPC, were directly in support of the nascent security institutions and, in reality, they were focused on the proto-military organisation, the KPC, not the wider security sector. Some training assistance was given to the new KPS, but this support was led by the OSCE, and any such assistance that was given by KFOR was generally thought to be outside its mandate. There was also little direct support from NATO HQ Brussels, except from the operations branch of the IS, which was more concerned about managing the mission rather than any capacity building.

It was only during the second and third phases[336] of the development of Kosovo's security institutions that NATO became more directly involved with the creation of a new security sector architecture and capacity building. NATO's support to UNOSEK would seem to have been a positive contribution[337] but it was the creation of the NAT[338] and the MCAD, which was replaced by the NLAT, when direct support began to be provided on the ground in Kosovo. DPP from NATO HQ Brussels also contributed to the overall support, particularly in the political arena and with assistance to the KSF ministry.[339] As discussed in earlier parts of this Chapter[340] the lack of access to PfP

[336] As outlined in the section entitled: 'Background' in 'NATO SUPPORT TO THE DEVELOPMENT OF THE SECURITY SECTOR WITHIN KOSOVO'. Phase 2 (2005-2008) and Phase 3 (2008-2015).
[337] Interview K15.
[338] Briefly known as the MAT.
[339] Interviews N6, N7 and N12.
[340] For example, see: 'Possible Membership of PfP' and 'Governance'.

programmes still limits the support to the wider parts of the security sector and to the improvement of overall governance.

As the NAT and the NLAT now have specific mandates of assisting and advising their hosts[341] and are collocated with them, it creates the appropriate conditions for success. Nonetheless, there has still been some polite but direct criticism of the lack of continuity and expertise in the teams. For example, Lieutenant General Kastrati suggested that:

> "[W]hen countries [...] provide officers for NLAT Team and when they send just for six months it is a problem. I don't see any so much benefit because [... of the ...] short time. If they come they need one or two months just to adapt, one month before they leave they need to prepare themselves and so on. I asked General Wagner if he will have influence to ask countries firstly to send minimum one year." [342]

A senior member of the NLAT seemed to be more relaxed about tour lengths and suggested that he was "[n]ot sure that it is a big issue ..." and that "... fresh guys come with fresh minds." [343] This lack of concern about continuity seems to run counter to most informed opinion[344] and might suggest that the officer does not have a sufficiently good grasp of the nature of advisory work and the time that it takes to build the trust necessary to be a successful advisor.

Kastrati went on to suggest that:

> "[W]e don't need just [... a warm body ...] we need experts, real experts [...] to build doctrines, we have to build concept, we have to build for planning for the future and we need experts to work on that." [345]

[341] See section in this Chapter entitled: 'Local Ownership'.
[342] Interview K17.
[343] Interview K24-N
[344] For example, Interviews K14, K17, N2, N6 and N12.
[345] Interview K17.

It is a view that is completely shared by the Deputy Commander of JFC Naples, Lieutenant General Peter Pearson, who stated:

> "There are, obviously, a huge amount of skill sets [... required ...] but people need to be – subject matter experts [...] on whatever bit they're going there to be the advisor and mentor upon." [346]

Notwithstanding these criticisms, there seems to be general agreement amongst the interviewees for this research that the concept of the advisory teams was both sensible and worked reasonably well.[347] The fact that the IS was tasked with directing the activities of both these teams, rather than KFOR, reflects both upon the political nature of the role as well as the political sensitivities in Kosovo and HQ NATO Brussels.

The changing and improved security situation in Kosovo has been commented upon earlier in the Chapter and there is a general perception that "... [t]he presence of NATO in Kosovo right now has a huge symbolic importance and not really an operational importance." [348] Although the prospect of a posting to Kosovo in 1999 was not necessarily relished,[349] life there in 2015 is both civilised and comfortable. As one analyst commented:

> "I know from KFOR there was still more willingness to stay in Kosovo as an officer rather than to go in Afghanistan or in Iraq because of the security situation which is far more favourable." [350]

This seems to chime with Bryan Watters' remarks earlier in this Chapter[351] about KFOR becoming more of a 'garrison organisation'. As argued earlier in this Chapter, it is abundantly clear that KFOR is not needed in Kosovo in its

[346] Interview N3.
[347] For example, Interviews K9 and N6.
[348] Interview K6.
[349] Interview K15.
[350] Interview K14.
[351] See section entitled: 'Current Political and Security Situation Within Kosovo'. Also the discussion about the situation in KFOR during the 2004 riots at: 'International Administration [...]:1999-2005'.

current numbers or its current mandate.[352] As Swedish Lieutenant Colonel Curt Jakobssen firmly stated:

> "[T]he military presence here has to be changed to an SSR presence, more an SSR presence, in the near future, and I don't say that because Sweden is doing that this year already, because we are going to withdraw all the military troops and only have SSR Advisers down here. And that should be a plan as well for other nations to follow because that is the best thing to build up [... Kosovo's ...] society and their own ownership of the situation and all nations who can be advisers to more than KSF, the other Ministries as well. [...] And sometime they have to live without KFOR in future, and then they should be prepared as much as possible. And I think that's just one possibility for them and that is to change mindset for different nations from military to SSR impact." [353]

Jacobssen's views are entirely consistent with NATO's approach in both BiH and Macedonia, where there has been a natural transformation from the original tactical operation to a mission that provides advice on defence reform and SSR to their respective host nations. It may be that some form of tactical reserve will be required on the ground in the future but the rationale for KFOR needs to change to an SSR presence in line with the security situation and Kosovo's status as an independent state recognised by over 112 countries.

Having examined some of the technical issues, it would be appropriate to examine capacity building in more detail.

Capacity Building Through Norm Setting and Conditionality

Whilst the key mechanism for NATO's support to capacity building in BiH was through the range of PfP programmes, this is not on offer to Kosovo. The difficulty for both NATO and KFOR is that they are still constrained by UNSCR 1244 and the four members of the NATO Alliance, which did not recognise

[352] See section entitled: 'Geo-strategic Interests in Kosovo'.
[353] Interview K9.

Kosovo as a state. This has led to a politically sensitive impasse that has been in place since 2008, and which shows no signs of being resolved. It has frozen the support on offer to Kosovo and the number of KFOR troops on the ground, although it is clear to many of those individuals interviewed for this research that these need to adapt according the changing circumstances on the ground.[354] There has been no progress on the offer of PfP membership and thus the full range of PfP programmes that could assist the wider security sector in Kosovo is not available. Nonetheless, a TCP could be offered without PfP membership, but this would probably need to be linked to a more robust political presence from NATO within the country in order to finesse the more challenging and sensitive obstacles to progress. Nonetheless, the 'new tasks' of 2008 gave NATO a role in developing and advising the KSF and its ministry (both classic SSR roles), whilst also tackling some governance issues.[355]

What seemed clear to the researcher was the way the norm setting agenda had been welcomed by the KSF and thus the NATO norms would seem to have been fully internalised.[356] Furthermore, most people interviewed for this research were very positive about the conditionality of possible PfP membership in improving standards within the Kosovo security sector, but they also linked that conditionality with EU membership.[357] Lieutenant General Kastrati, the Commander of the KSF, also highlighted the link between this conditionality and cooperation within the region:

> "Here the role of the mechanisms of NATO and the EU to promote cooperation among the forces and the Western Balkan countries remains irreplaceable." [358]

Whilst this seems to be the prevailing view, two of the interviewees[359] pointed out that currently there is little incentive for Kosovo to pursue membership of either the EU or NATO too actively, as they already receive many of the

[354] For example, Interviews K9 and K14.
[355] For more detail see section entitled: 'New Tasks: 2008-2015', Chapter 6.
[356] For example, see Interviews K17 and K19
[357] For example, Interviews K1, K17, R1 and R2.
[358] Interview K17.
[359] Interviews K8 and K14.

benefits without any of the obligations. As Dr Robert Muharremi argues: "In terms of rational choice why should I assume more burden when I get the service already for free?" [360] This cost benefit analysis is undoubtedly the most rational way to approach the issue, although several interviewees understood that all the while there are non-recognisers in both NATO and the EU then there:

> "... is a problem with the leverage [... as ...] it has a questionable impact as it currently stands [... because of ...] the non-recognisers. I think we are ready operationally to actually sign a PfP Agreement with NATO, be part of the PfP programme but we cannot be part of the PfP because of the political issue, because of the non-recognisers. And yes, it's good to reform for our own interests, but in terms of waving this carrot, the carrot is very illusional [sic], it's not there. You see but you cannot grab." [361]

The picture on conditionality is therefore mixed in Kosovo. NATO could easily improve the situation, however, and that is through some form of TCP[362] or full membership of PfP. Until now most of NATO and KFOR's support has been in a narrow area of the security sector (ie the KLA, KPC and KSF) but NATO's partnership programmes cover much more of the security sector including the Ministry of Interior and the Ministry of Finance,[363] and focus on governance across the spectrum of government. By allowing the whole of the Kosovo security sector to engage in these programmes, it would not only be of practical benefit to the country, but it could also help build better local ownership.
The offer of PfP membership would probably need to follow on from the change of KFOR's mission to an advisory one. Once the non-recognisers have accepted that change, it would only be logical to offer Kosovo PfP membership as has happened to every other country in the Western Balkans. Nonetheless, research has indicated that such a step would require active lobbying and

[360] Interview K8.
[361] Interview K3.
[362] As described in the earlier section entitled: 'Possible PfP Membership'.
[363] Interviews N3 and N6.

political pressure from countries such as the US, UK, France and Germany on the non-recognisers.

Another area where NATO has a unique selling point is its reputation. In its regional approach NATO always seeks to lever its reputation to best effect. Since the successful intervention in BiH in 1995 and then again in Kosovo in 1999, NATO had good credibility in delivering hard security. As political analyst, Krennar Gashi, stated about KFOR:

> "Well one thing they've done completely and utterly right, and successfully so, was provide the feeling of safety and security, and I remember in 1999 [...] there was an absolute trust from the Albanian community towards NATO and NATO Forces at the time. The trust was also there from other non-Albanian communities because with over forty thousand troops deployed in Kosovo, [...] the whole hard security parts [*sic*] were maintained by NATO, and that had built this credible image of KFOR in Kosovo." [364]

For a number of years KFOR was regarded as the most trusted security institution by citizens in Kosovo with around an 85% approval rating.[365] This has slipped somewhat in recent years to second place behind the KSF[366] with around a 65% rating,[367] but it is still a respectable figure. One could easily argue that perhaps as the ordinary citizens no longer interface very much with KFOR then their perspective of the organisation is a post-1999 'rose tinted' one. Nonetheless, this should provide a degree of soft power for the Alliance within the country but, in reality, the situation is a little more ambiguous.

The political party *Vetëvendosje* has been vociferous in its condemnation of all international organisations in Kosovo and wishes to see Kosovo freed from any

[364] Interview K6.
[365] Interviews K9 and K14.
[366] Interviews K17 and K20.
[367] For the survey findings at the end of 2015 see: KCSS, *Kosovo Security Barometer*, dated December 2015. Available at: http://www.qkss.org/repository/docs/Kosovo_Security_Barometer_-_Fifth_Edition_523670.pdf [Last accessed 14 June 2016].

form of international oversight, including from KFOR. Albin Kurti, its leader, has been quite cautious in his criticisms of KFOR, however, except with regard to a perceived lack of security for Kosovo Albanians who live north of the River Ibar.[368] Several interviewees, who were generally supportive of NATO and KFOR, were extremely critical of KFOR's lack of contextual awareness and its clumsy attempts at outreach.

Some, like Florian Qehaja, argued that many internationals have their own reasons for ignoring the current context:

> "[T]here are some nations, part of the KFOR and some international organisations which are well aware that there are significant changes on the ground but they don't want to see, they don't want to admit changes on the ground because they want to keep their presence here, be it for the personal interest, be it for the interest of the particular country. So by claiming that there are still security problems, there is still lack of trust towards locals, they would retain their presence here and they would maintain their interest on the ground."[369]

Others, like Shpend Bursani, suggested that it is just inherently difficult for an IGO like KFOR, to gain a detailed contextual understanding. He stressed that this was especially difficult in the security sector with regard to issues like vetting. Without that understanding and knowledge, he claimed that there would inevitably be failures.[370]

In the same way that NATO's outreach would appear to have been poorly directed and clumsy in its narrative in BiH, so it would seem to have been in Kosovo. From the interview with Krennar Gashi, it was clear that he supported NATO and its role in Kosovo, but:

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[368] For example, see: Vetëvendosje, *Letter to NATO Secretary General and KFOR Commander*, dated 11 April 2012. Available at: http://www.vetevendosje.org/en/news_post/letter-sent-to-nato-secretary-general-and-kfor-commander-general-4/ [Last accessed 1 July 2016].
[369] Interview K14.
[370] Interview K3.

> "I was shocked [… as to …] how could this superior, supreme power, the greatest Alliance on this planet, rely on incompetent people to convey their messages in Kosovo. This was really a huge surprise for me. At the time, after a year or two these messages continued to be so ridiculous that there were Facebook pages saying that 'KFOR ads insult my intelligence', because this was really messages that you don't tell to a kid who is older than four years. [...] One of them was women's rights and human rights, or ridiculous TV ads where a Serb and an Albanian would be having tea or coffee together and they would talk about inter-ethnic tolerance. Despite the conflict, tolerance between ethnicities was never an issue. I mean the tolerance between neighbours was never an issue, and I think that [... the advertisements ...] actually just had a counter-effect among the population." [371] [372]

Gashi's views on these advertisements were echoed by both Abit Hoxha[373] and Florian Qehaja.[374] This issue will be returned to in the next Chapter as it is clearly a lacuna that NATO needs to address if it is to harness fully its 'soft power'.

SUMMARY

NATO's intervention in Kosovo in 1999 confirmed its credibility in dealing with hard security issues. As one local security analyst commented "... in my opinion Kosovo has been one of the first international interventions that actually worked." [375] Certainly the success of General Clark's initiative to secure the disarmament of the KLA was founded on a distinctly political and transactional approach by a NATO military commander in order to secure a working agreement on the ground. The security situation in Kosovo after the intervention continued to be precarious but, as disarmament is one of the most

[371] Interview K6.
[372] The Facebook page that Gashi referred to: https://en-gb.facebook.com/Reklamat-e-KFOR-it-ma-shajn%C3%AB-inteligjenc%C3%ABn-me-nan%C3%AB-356605516279/ [Last accessed October 2013 but could not find in June 2016].
[373] Interview K5.
[374] Interview K14.
[375] Interview K5.

critical political obstacles to DDR in any post-conflict situation, the impact of its success should not be underestimated.

NATO's role in assisting Kosovo in the softer security areas, in particular with development of its security sector, was more difficult to finesse. KFOR's oversight of the KPC brought with it a range of frictions, as well as a growing sense of frustration within both the KPC and the PISG. After the riots of 2004 and Ambassador Eide's two reports, the scene was set for the appointment of President Ahtisaari to tackle the thorny issue of status. NATO's role in assisting the UNOSEK work, and its close relationship with the ISSR team, were pivotal in creating the security architecture and conditions for a new security sector in Kosovo.

The creation of the NAT and NLAT after the declaration of independence saw a shift in NATO's approach towards direct support to the Kosovo security sector. The 'new tasks' of 2008 gave NATO a role in developing and advising the KSF and its ministry (both classic SSR roles), whilst also tackling some governance issues. The difficulty for both NATO and KFOR, however, was that they were still constrained by UNSCR 1244 and the four members of the NATO Alliance, which did not recognise Kosovo as a state. This has led to a politically sensitive impasse that has been in place since 2008, and which shows no signs of being resolved. It has frozen the support on offer to Kosovo and the number of KFOR troops on the ground, although it is clear to many of those individuals interviewed for this research that these need to adapt according the changing circumstances on the ground.[376] There has been no progress on the offer of PfP membership and thus the full range of PfP programmes that could assist the wider security sector in Kosovo are not available. Nonetheless, a TCP could be offered as a first step to PfP membership.

The NATO chain of command and KFOR's engagements in the development of Kosovo's security sector would still seem to lack subtlety in a number of areas.

[376] For example, Interviews K9 and K14.

Many of those involved have a relatively poor contextual understanding of Kosovo, its history and its peoples. This has led to rather clumsy attempts at outreach. Furthermore, whilst the creation of the NAT and the NLAT have been welcomed, there has still been some polite but direct criticism of the lack of continuity and expertise in the teams. All of these issues could, and should, be addressed by NATO.

In a similar vein to BiH, the reforms that NATO has supported in Kosovo have been good in parts and this has been due to a combination of the post-conflict context as well as the political sensitivities surrounding the country's independence. The latter point has made political engagement difficult with tight political control from Brussels. Institutional analysis would suggest that in this case that the main actors were the four non-recognising states and that their domestic concerns drove NATO's approach to Kosovo. It was a complicating factor that the non-recognising states' agenda bore a marked similarity to that of Russia and Serbia. NATO's role in this example is therefore an 'instrumental' one with little flexibility on the part of NATO staff. This situation has been exacerbated by the low level of political representation within KFOR. A NATO senior civilian representative of the rank of Ambassador would seem to be an obvious solution, although that might create different sensitivities within the military chain of command.

Instilling local ownership in a country that is transitioning from neo-trusteeship is always going to be difficult. This has been the case through all three stages of the development of Kosovo's security sector, and was demonstrated by events surrounding the development of the country's NSS. Arnstein's ladder of participation (1969:217) would seem to indicate that ownership has mainly ranged between 'manipulation' and 'informing', and only occasionally to 'consultation' and 'partnership'. 'Citizen control' would still seem some way off.

Within the security sector the governance frameworks were in place but were not always followed. Thus, according to Fox's typology (2007:669), there is a

degree of ‘soft accountability’ and relatively ‘clear’ transparency. NATO’s role in this area has been minimal and would seem to be a missed opportunity. It is only when Kosovo undertakes PfP programmes will their involvement deepen and become more noticeable. KFOR has cooperated with UNMIK and various other international organisations since 1999. The high point of cooperation was during the status talks and in the aftermath of independence. Since then KFOR’s role would seem to have waned. NATO staff within the NAT have proved themselves to be technically competent and have been an aid to capacity building, particularly within the ministry for the KSF. The NLAT, which provides more of the support to the KSF, has gradually been improving its performance, but it suffers from familiar problems of rapid rotation of staff and gaps in its understanding of SSR that has been referred to earlier in this section. Nonetheless, there has been an apparent internalisation of NATO’s norms within the KSF and an acceptance of the leverage of conditionality. This is less obvious in the remainder of the security sector.

In summary, NATO's role in creating the conditions for the disarmament of the KLA was particularly noteworthy, as was NATO's contribution to the work of UNOSEK and the creation of advisory teams answerable to NATO HQ Brussels. Some of its other support has been less effective but a review of its current mandate and a move towards an SSR field mission would create the conditions for a more successful approach than currently. It is now the moment to consider the issues raised in both the BiH and this case study in a comparative analysis at Chapter 7 in order to ascertain whether these experiences could inform NATO's future engagements.

CHAPTER 7

COMPARATIVE ANALYSIS OF CASE STUDIES

> "A British anthropologist, E. R. Leach, has urged his colleagues to seek generalizations by abstracting a number of variables from their wider context; but he has simultaneously warned them to understand the phenomena in their context before abstracting them"
>
> *A New Dictionary of the Social Sciences* - G Duncan Mitchell[1]

INTRODUCTION

During the analysis of the two case studies in Chapter 5 and Chapter 6, it was inevitable that some degree of implicit comparison would already have occurred. This Chapter, however, sets out to compare them explicitly. The aim of this Chapter is therefore to conduct a comparative analysis of the cross-case data collected on NATO's role in supporting SSR within the Western Balkans in order to gain an understanding of the patterns and characteristics of the interventions, as well as the variations. The researcher then identifies how this experience could be used to inform its future engagements by creating a framework of generalised factors for NATO to draw upon. This is the second stage of the main analysis in this study.

It was apparent from the two case studies that there was a myriad of issues that could be analysed in order to produce generalised factors. The intention, therefore, is to follow the broad analytical framework that was developed in Chapter 2 with just some slight changes in emphasis in their respective titles. Thus, the issue of context is discussed first.

[1] G Duncan Mitchell (2008:34).

UNDERSTANDING THE CONTEXT

In both BiH and Kosovo there were clear examples where NATO troops created completely the opposite effect than they were trying to achieve due to a lack of contextual understanding. It is, however, more than just a need for an understanding of the country, it is also about understanding any post-conflict and post-authoritarian factors that may be present, as well as the individual needs of the country.

In this section it is intended to draw out some of the contextual factors that NATO might consider when preparing for a new engagement, or modifying an existing one. The people, the country and its neighbours seemed a good point to start. For example, the ethnic composition of the constituent people in BiH has allowed the RS to block progress in the security sector since 2006. Similarly, the predominance of ethnic Serbs in the Northern part of Kosovo, which has a land border with Serbia, has meant that the area has been a source of insecurity and friction which the Kosovo government has been unable to resolve on its own. Local narratives and local attitudes need to be understood both in NATO HQ Brussels, as well as within the field missions. A significant aid to understanding these *Weltanschauung* is continuity of service in theatre. It was established in both case studies that continuity was lacking, but, in BiH, it was ameliorated where civilian staff had been employed for longer periods of time rather than military staff on six month tours of duty. The issue of continuity and suggested lengths of tours will be returned to later in this Chapter.[2]

It is perhaps axiomatic to say that both the DPA and UNSCR 1244 shaped the nature of NATO's missions and the ability of NATO to carry them out. Although the DPA was successful in ending the conflict in BiH, it set up structures that embedded the seeds for future discontent and it created an absence of

[2] See the section in this Chapter entitled: ' NATO's CAPACITY AND STRUCTURE FOR SSR ENGAGEMENTS'.

'positive peace'. This then allowed the RS to block progress towards much-needed reform in the security sector and the advance towards NATO membership. Similarly, the lack of an end date for UNSCR 1244 has effectively created a barrier to adapting the mission according to the circumstances on the ground. The domestic interests of the Russian Federation, and the four members of NATO which have not recognised Kosovo's independence, have aligned and created a political impasse. NATO has thus been unable to re-configure its 'safe and secure environment' mission to one that is more in support of the development of Kosovo's security sector. There is a fundamental lesson here for NATO and the international community in ensuring that peace agreements or UNSCRs that are intended to lead to liberal statebuilding do not either produce a 'negative peace' or generate the conditions whereby an international intervention can be held to ransom by a dissenting country. It is undoubtedly easier to say this than do it, but awareness of the issue could prevent the circumstances which have been created in both BiH and Kosovo. One alternative is that which occurred in Macedonia in 2001, where the Macedonian President invited NATO to provide assistance. As long as there is no coercion on the host country, this latter approach has the immense benefit of creating local ownership from the start.

In post-conflict countries it is inevitable that there will be a degree of insecurity. It is therefore incumbent upon any intervening force to help stabilise the situation and assist in upholding the rule of law. In both BiH and Kosovo the NATO missions were prepared for a peacekeeping role but not for enforcing the rule of law, which many in the Alliance regarded as 'mission creep'. Whether NATO would be expected to contribute directly to the rule of law in any future SSR engagements would depend on the circumstances. Nonetheless, it is likely that at the very least it would be required to assist in creating governance frameworks. It is also likely that another organisation, such as the EU or OSCE, would be assisting with reform of the justice sector, as has been the case in both BiH and Kosovo. It would then be incumbent upon NATO to coordinate closely with those organisations and have a common approach to the issue of

corruption and subsequent impunity. Where the EU has a civilian SSR mission, as it does in the Ukraine, then NATO needs to dovetail its role with that of the EU.

One could reasonably argue that neither the RS nor Northern Kosovo are under the full control of their respective central governments. For the former it is as a result of the DPA and for the latter it has been more to do with the interference of Belgrade. Nonetheless, both cases illustrate the difficulty for a NATO mission when there are territorial or constitutional disputes. NATO already has Liaison Offices in both Ukraine and Georgia but, were the Alliance to consider enhanced SSR missions as part of the DCB initiative, it would need to take into account the dilemmas imposed by such territorial problems. Furthermore, given the starkly different contexts between the Western Balkans and the countries of the Caucasus, there would seem to be merit in comparing NATO's experience in supporting SSR in both regions.

Both in BiH and Kosovo there has been a plethora of donors and international organisations on the ground. Much has been made in the case studies about the need to cooperate with others and adopt a holistic approach. The difficulty lies in that many organisations do not wish to coordinate their approaches and, in the case of both BiH and Kosovo, there is often a reluctance on the part of the host nation to demand that cooperation. This is another factor to consider in any future engagement for NATO and will be analysed in more detail later in this Chapter.[3]

The case studies in Chapters 5 and 6 have demonstrated that it is not always possible to draw a distinct line between the past and the present. The history of the conflicts in both examples have had a direct bearing on the countries' security sectors and thus the role that NATO and other international organisations have had in supporting the reform process. These legacies of conflict need to be understood and taken into account when planning support.

[3] See the section in this Chapter entitled: 'COOPERATION AND A HOLISTIC APPROACH'.

General Clark's sensitivity to the long-term aspiration of the Kosovar Albanians to have their own army allowed him to finesse the disarming of the KLA. What NATO was not able to do, however, was remove the legacy of impunity that has surrounded certain senior ex-KLA members since the conflict. The influence of the Drenica group and the organ scandal[4] still shape the public image of the Kosovo government both inside and outside the country. Similarly, the general contempt that most people in BiH seem to hold politicians has its roots in the constitutional structure imposed by the DPA which has created a self-serving political elite. This situation has been exacerbated by the contested nature of the unitary state. Some of these legacy issues, both internal and external, need to be seen through the narrative and attitudes of the local population. For an external organisation like NATO, this can only be gleaned through detailed analysis of the context and talking directly to the local actors. NATO's preparation for future engagements should ideally analyse these sorts of issues in detail before agreeing the nature of a possible engagement. It is understood, however, that the political dynamics might not allow for this to occur.

The governance frameworks in the two case studies were generally viewed as being acceptable. NATO had assisted both governments in framing laws and oversight mechanisms for the security sector. The recurrent theme from both primary and secondary research, however, was that the frameworks were not being enforced. This reflected both the failure of leadership in the countries, as well as a degree of apathy on the part of the population to hold politicians to account. The issue of governance (or good enough governance) is central to a functioning democracy and will be discussed in further depth later in this Chapter.[5]

[4] It is not intended to go into detail with regard to the organ scandal surrounding the Drenica group. Suffice it to say that a number of ex-KLA members have been convicted of harvesting internal organs for sale during the conflict in Kosovo, including Sylejman Selimi, a former COM KPC and the first COM KSF. See: Balkans Transitional Justice, *The Troubled Trial of Kosovo's 'Drenica Group'*, dated 27 May 2015. Available at: http://www.balkaninsight.com/en/article/kosovo-awaits-kla-guerilla-verdict [Last accessed 20 June 2016].

[5] See the section in this Chapter entitled: 'NATO's ROLE IN IMPROVING GOVERNANCE'.

Inevitably there are gaps in capacity in any post-conflict or post-authoritarian country. These will be both at the individual and institutional levels. NATO has done much in both countries to build that capacity through the presence of their teams embedded in ministries and, in the case of BiH, through some of the PfP programmes. There is, however, still a lacuna in NATO's approach to Kosovo, which could be easily ameliorated by the introduction of a TCP. Notwithstanding the position of the non-recognisers, the Alliance should do more to assist Kosovo and thus improve stability and further its Euro-Atlantic aspirations. Any future SSR engagement needs to clearly identify where the capacity gaps are in a target country and thus what assistance is required. NATO then needs to be able to draw upon the full panoply of PfP programmes including PARP, PAP-DIB and BI. As a first step, and where appropriate, a TCP should be put in place.

The final factor to emphasise in this section is a need to build 'political will' for successful reform within a host country. It was clear from the analysis of BiH that its politicians lacked that 'political will' to enforce the framework for reform and thus no amount of conditionality would further the process. Whilst NATO (and others in the international community) could be credited with much success in supporting reform in the defence arena, its ability to influence matters has a limit. In Kosovo, the 'political will' for development of the security sector has been in place, but NATO's response has been sub-optimal due to the political limitations on its mandate by UNSCR 1244 and the non-recognising countries in the Alliance. The ICO and then the US provided assistance to the Kosovo government in developing an NSS, but the basic principle of local ownership was contravened on both occasions and the results were disappointing in both practical and political terms. The analysis demonstrated the truism that ultimately change can only be home-grown and not imposed by external actors. This issue will be returned to later in the section on local ownership.

The importance of context was emphasised in the quotation at the beginning of this Chapter. Looking back to the literature in Chapter 2, Paris and Sisk stressed the need to conduct detailed, multi-disciplinary analyses of context in order to expose knowledge gaps and to establish "... the deeply engrained continuities in the political, social and economic life of a society [...]." (2009:310-311)[6] In addition Nathan also drew attention to a range of contextual factors and highlighted in particular: the nature of the political situation in a target country, its "... capacity to design, manage and implement reform" and the 'political will' to pursue those reforms. (2007:12)

In summary, a set of contextual factors are listed below that NATO should consider when preparing for a new engagement, or modifying an existing one:

- Understanding the people, the country and its neighbours;
- Using a peace agreement or accord to create a 'positive peace';
- Analysing general insecurity, such as abuses by security actors or political elite and the resultant impunity;
- Is part of the territory not under control of central government;
- Number of donors and international organisations on the ground;
- What are the legacy issues, both internally and externally;
- Viability of governance framework;
- What are the gaps in institutional capacity; and,

[6] The quote goes on to discuss post-conflict societies, although the same could be said of post-authoritarian societies as well.

- Is there the political will to enact reform?

On this last point, the analysis turns now to the political nature of NATO's SSR engagements.

THE POLITICAL NATURE OF NATO's SSR ENGAGEMENTS

It was stressed in the literature review, and throughout this study, that assisting a country with reform of its security sector is a deeply political process, which cuts to the heart of a state's sovereignty. It is not just a technical or programmatic exercise, although they have a role to play. It is therefore surprising that neither BiH nor Kosovo have a NATO official of ambassadorial rank and concomitant political influence acting as a bridge between NATO HQ Brussels, the local NATO HQ and the countries' governments. It was a point well made by the Commander of JFC Naples.[7] Furthermore, Ole Hammer in BiH[8] commented on (in his view) the inappropriateness of using an ordinary military chain of command for these types of political missions. Finally, a member of the international community[9] in Pristina recounted a discussion with the NAC during one of their regular visits to Kosovo regarding the need for an SCR, which was then quickly scotched by COMKFOR. Whatever the prevailing views, it is an issue that NATO should probably reflect upon when planning a new engagement.

In addition, the role of external actors in an internal process such as SSR always stands the danger of overriding local ownership. For example, the DRC processes in BiH only occurred because of the external pressure created by both the OHR and NATO. Nonetheless, the analysis in Chapter 5 suggested that as the majority of the commission members were local actors, and the hard compromises and decisions were made by local politicians, there was a degree of local ownership to the process. Furthermore, it would seem prudent to be

[7] Interview N4.
[8] Interview BH22.
[9] Interview K2.

transparent about an organisation's activities in order to create trust rather than suspicion and thus maximize NATO's soft power. Nye (2004:111) emphasises that:

> "... soft power means getting others to want the same outcomes as you want, and that requires understanding how they are hearing your messages, and fine-tuning it accordingly. It is crucial to understand your target audience."

In both BiH and Kosovo there were examples where attempts to produce a NATO narrative and influence public opinion were either non-existent or went badly wrong. On several occasions where it did go wrong, it was due to a lack of contextual understanding on the part of NATO and at other times a lack of political sensitivity. Either way a carefully crafted narrative and a sound strategic communications plan should have created the desired effect. These two issues, however, require political expertise that was not available to the NATO field missions in either BiH or Kosovo.

There is an additional argument to be adduced here and that concerns the political nature of the in-theatre NATO commander's role. As explained in Chapter 6, the military chain of command (essentially SACEUR) was particularly sensitive about the researcher's role in UNOSEK[10] and the potential for direct communications between a military officer from one of their HQs to NATO HQ Brussels. This continuing sensitivity over adhering to the military chain of command was clearly evident in both interviews with senior KFOR officers.[11] The officers shied away from any political comment and refused to accept that their roles had any political connotation. Nonetheless, senior NATO officers in a theatre like Kosovo, be they the commander or head of an NAT/NLAT, are change agents and thus inevitably have a political dimension to their role. Dr Ben Lovelock, a former Royal Marine officer, was clear on the political nature of a commander's role, especially in ambiguous circumstances, when he stated:

[10] See section entitled: 'NATO's Support to UNOSEK: 2006-2007'.
[11] Interviews K23-N and K24-N.

> "... the contemporary Theatre Commander is definitely a political actor who can deliver political effects in theatre and at home. [...]This [... is ...] necessary because they were deployed in difficult political and military circumstances and they alone had the power to produce a result amid ambiguity. Attempting to escape this reality or removing the military from the political debate would only tend to delay political progress and, to take up Rupert Smith's argument, reduce the utility of the forces deployed." (2011:219)

It was a view that General Clark clearly took to heart when he managed to persuade the KLA to disarm in 1999.[12] The word 'persuade' is used here deliberately as it cuts to the essence of both leadership and power in the political arena, and has resonance for SSR engagements. The use of threats and punishments, as well as promises and rewards, have their place in the power spectrum, but true soft power seeks to persuade a country (or an individual) to take a course of action, because it is in their best interests. In effect it is the course of 'enlightened self-interest'. In Clark's case this was an example of transformational, rather than transactional, leadership.

In order to bring these issues together, a set of political factors are listed below that NATO should consider when preparing for a new engagement, or modifying an existing one:

- SSR is deeply political and not just technical or programmatic and needs to be recognised as such;

- NATO might consider an SCR as the link to NATO HQ Brussels for these types of engagements;

- In the absence of an SCR, the in-theatre military commander should probably have a mandate that explicitly reflects the political nature of SSR; and,

[12] See section entitled: 'Early Days: 1999-2005' in Chapter 6.

- External pressure on internal actors can easily cause a loss of local ownership, so a carefully crafted narrative and strategic communications plan is needed in order that both NATO and the host country can create the political conditions for successful reform.

THE CRITICALITY OF LOCAL OWNERSHIP

Another condition for successful reform is creating local ownership, but it is a vexed issue for any organisation or donor that assists countries with their development or reform process. Results have tended to be mixed due to short-term expediency, a lack of local capacity or an international agenda which ignores the country's needs. Nonetheless, there is a need to recognise that it is a cross-cutting subject that should permeate every facet of assistance.

Unfortunately, the all-embracing nature of the international community's involvement in both BiH and Kosovo has militated against local ownership. As discussed in the section above, the setting up of the two DRCs in BiH were at the instigation of the High Representative and NATO, but the format of the commissions allowed NATO HQ Brussels and NHQSa the opportunity to help build local capacity and allow local actors to absorb the reforms in a coherent manner. The PfP tools have also been successful in building capacity and thus creating local ownership. Since the political impasse in 2006, however, NATO's ability to encourage ownership has been limited by a lack of domestic consensus and thus political will to make the reforms happen. The fact that NATO's strategic narrative was rather incoherent has only served to exacerbate the difficulties.

UNSCR 1244 has proved over time to be a barrier to progress rather than a roadmap for the future, not least due to the contested nature of Kosovo's independence. As explained by a senior KPC officer, the creation of the KIKPC changed the relationship between the KPC and KFOR from one of partnership

to a more distant, adversarial relationship. This clearly did not assist with the development of local ownership. The NATO team inside UNOSEK was always concerned about the issue of local ownership but were constrained in their efforts by both the political dynamic between Pristina and Belgrade, as well as the views of the Contact Group. The key measure in the 'Comprehensive Proposals' for the Kosovo government to develop a full NSS, which should have helped create a significant degree of local ownership in the security sector, was severely hampered on two occasions by the international community.

It should also be remembered that NATO is not the only international actor interfacing with the security sectors in BiH and Kosovo. Aside from the large international organisations like EULEX and OSCE, there are also many bilateral embassies which provided advice and assistance. The US has been particularly active with their National Guard programmes but in Kosovo the overweening influence of the US, both politically and in the security sector, has tended to create dependency rather than local ownership.

On that rather sombre note, it is now time to assess how this experience could be used to inform NATO's future engagements. As explained in Chapter 2, local ownership lies at the heart of sustainable development and thus SSR. Scholars like Nathan (2007), Donais (2008a), as well as a library of OECD documents[13] have all sought to capture the "... hard-won lessons through constant reference to experience from the field." (Qehaja *et al* 2013:3) Nonetheless, depending upon the context there is a more nuanced understanding of 'ownership' and that particularly in a post-conflict environment "... there is a dilemma between establishing stability in the short-term and creating sustainability over the longer-term." (Qehaja *et al* 2013:5) For both BiH and Kosovo, it has been a case of building capacity and encouraging local ownership from the start, but accepting that ownership and commitment were only really present once there was sufficient capacity. It is therefore recommended that drawing upon the four bullet points in the previous section

[13] For example, OECD (2005b), OECD (2008f) and OECD (2011).

on the political nature of SSR would be a good starting point to encourage local ownership but more is needed.

After completing the research interviews for BiH and Kosovo, the researcher took the opportunity to produce some ideas on how to improve local ownership during an SSR intervention and these were shared at an academic conference with participants from the Western Balkans in September 2014. The basic premise was to embed the concept of local ownership at every stage of an engagement. These suggestions were well received and are therefore drawn upon in the list below. It is therefore recommended that when NATO discusses any future assistance with a host nation, both sides should attempt to:

- Establish a shared and common understanding of the situation on the ground, perhaps drawing upon a full NSS or review conducted by local actors;

- Define a shared and common objective for the assistance;

- Produce a joint plan with clearly identified areas of risk;

- Agree joint measures of effectiveness and benchmarks;

- Implement with the recipient community firmly in the lead;

- Carefully and jointly monitor the pace and sequence of implementation;

- Jointly evaluate at key decision points;

- The key, however, is to "... [b]uild capacity and capability leading to independence [...] without engendering alienation or dependency." (Watters 2011:33);

- And, finally, throughout the life of the intervention or engagement, keep talking to each another.[14]

NATO's ROLE IN IMPROVING GOVERNANCE

There is always a danger when discussing governance to view it through a Westphalian lens and to demand standards of governance in a post-conflict country that have taken countries like the UK 800 years to achieve.[15] There is thus a need for NATO planners to remember the context and to be modest in their expectations. Ingrained attitudes that the security sector is there to protect the political elite rather than the people take time to overcome. The discussion below therefore focuses on 'good enough' governance.

In Chapter 5 a member of the IS was quoted as suggesting that PfP programmes were essentially about governance but were not dressed up as such.[16] BiH was therefore able to improve its governance by drawing upon NATO programmes like IPAP and PARP. These helped ensure that improvements were made to such areas as transparency and accountability in the defence and security sectors. NHQSa was also able to offer advice in the drafting of appropriate laws for oversight of the security sector, which clearly proved helpful. Although the full range of PfP programmes were designed to tackle issues across the whole of government, little has been achieved outside the defence arena. The impasse over the start of the MAP programme has been particularly damaging in this regard. A combination of a political elite that was more concerned with preserving its own privileges and the contested nature of the unitary state, has frozen governance reforms since 2006.

[14] The Austrian Defence Academy, who were the organisers of the conference mentioned above, drew liberally from the researcher's ideas (with his permission) in their conference report. See Austrian Defence Academy (2014:3-4)
[15] England's earliest governance framework was the *Magna Carta,* which was signed in June 1315.
[16] Interview N7.

NATO's role in providing support to governance within the Kosovo has been confined to the defence sector. Nonetheless, as several interviewees remarked, developing a governance framework from scratch has ensured that Kosovo's laws are generally better than most of its neighbours. The difficulty, as with BiH, is the implementation of those laws and regulations.[17] NATO's BI programme and the presence of the NAT in the Ministry of KSF have strengthened policy development, management and oversight mechanisms for both the Ministry and the KSF itself. The lacuna, however, is access to all the PfP programmes or even a TCP in order to spread the good practice across other government ministries.

If the characteristics of 'good enough' governance listed in Chapter 2 are compared to the situation in both BiH and Kosovo, there would seem to be at least three additional areas where NATO could offer additional support. First, more attention could be focused on supporting key leaders who have executive or oversight functions in the security sector. Such people, whether they are politicians or officials, need the skills and motivation to be able to drive forward an internal governance agenda. The BI programme has been helpful in this regard but perhaps personal mentoring at the highest level is also needed. Second, civil society has a major role to play in holding politicians and officials to account. The examples in both case studies of political apathy and indifference to corruption need to be confronted if the countries are to stem arbitrary policy-making and abuse of executive power. Civil society should be encouraged to recognise its role and engage in the process. And finally the third area is that of education. The Kosovar MP Burim Ramadani[18] quite correctly pointed to the need for more education and training in order for officials and politicians to understand where and how to apply the governance framework within the security sector. ISSAT have run such courses in BiH but not in Kosovo. It could reasonably be argued that organisations like NATO and

[17] The spread of data for both countries was problematic, but this is the researcher's interpretation of the data.
[18] Interview K1.

the EU should be coordinating their activities with ISSAT,[19] or a similar organisation, in order to help build capacity at mid-level officials as well as representatives from civil society.

In bringing this section to a close, it would be helpful for NATO to have a governance line of operation when planning any future engagement in the same way that it might have a line for logistics. Drawing upon this point and the analysis above, discuss the issues below with the host nation when planning a new engagement:

- Check whether there is an appropriate governance framework in place and whether it is being implemented;

- Identify interaction between the formal governance framework and the local, informal rules;

- Identify whether existing PfP programmes assist the governance agenda or whether they need to be tailored further for the context;

- Identify incentives for politicians and the political elite to pursue a governance agenda (somewhat sensitive);

- Establish how the country's leadership can be supported such that they own and drive the governance agenda;

- Identify ways that civil society can be persuaded to engage in the governance agenda; and,

- Identify opportunities to educate and train actors in both the security sector, as well as civil society.

[19] And by extension its parent organisation, DCAF.

A strand running through all the issues above is the need to change behaviour in many of the key actors. This could be through the leverage of the conditionality of NATO (or EU) membership or some other form of non-coercive incentive. It could also be through regional methods of cooperation, which then leads to the need for a holistic approach by both NATO and the host nation.

A HOLISTIC APPROACH AND COOPERATION

As discussed in Chapter 4, NATO first began to address the issue of how to achieve better cooperation and coordination in 2004. The Riga Summit then declared a need to coordinate with specific organisations, especially "... the activities of the UN, EU and the OSCE to build governance and support reform." (NATO 2006)[20] It was not until early 2010, however, when NATO's SCR in Afghanistan[21] complained that there was both a lack of clarity concerning who was responsible for what, and there had been no articulation of what the Alliance was attempting to achieve in its support to governance and development in Afghanistan. His remarks prompted allies to achieve consensus on achieving a 'Comprehensive Approach', which was enshrined in NATO's Strategic Concept at the Lisbon Summit in November 2010. (NATO 2010b)

There was no real evidence to suggest that the NATO missions in either BiH or Kosovo were following the diktats of the 'Comprehensive Approach'. Clearly there are a multiplicity of stakeholders dealing with the security sector in both countries, both internal and external, which should ideally work together in a holistic manner. Unfortunately that has not always been the case.[22] The DRCs proved to be extremely helpful in drawing together the threads of the BiH defence sector in a holistic manner, but their mandates meant that they were less successful incorporating elements of the justice and correction centres into

[20] The term 'Comprehensive Approach' was first mentioned in the Riga Summit Declaration (NATO 2006:Paragraph 10).
[21] NATO DSG(2010)0510 dated 5 August 2010:1-10. Copy held by researcher.
[22] A particularly telling indictment of the competition and confusion between international organisations in Kosovo can be found in Welch (2011).

the overall security picture. Given the underlying requirement to meet the security and justice needs of the people, this has limited the efficacy of these interventions. The political structure in the country, along with the contested nature of the state, has prevented the adoption of a countrywide NSS. Furthermore, the refusal of the RS government to subordinate the judicial structures in the RS to the central government in Sarajevo has been one of the major constitutional blocks to a more holistic approach in BiH. Whilst NATO has attempted to coordinate with bilateral actors and the EU on the political agenda, there are understandable difficulties for a small in-country HQ like NHQSa when performing this political role. It is likely that a SCR figure would have had more chance of finessing this particular issue.

In a similar fashion to BiH, NATO's engagement in Kosovo has tended to focus on the defence sector rather than contributing to the broader security sector. In part this has been because of the lack of its ability to use the range of PfP programmes and in part this has been due to the risk averse approach adopted by a succession of NATO commanders. Nonetheless, the work of the NATO team in UNOSEK and the FASWG and WGS in Pristina contributed significantly to a holistic approach to the development of the post-independent Kosovo security sector. This could have been capitalised upon subsequently with the development of an NSS but the two opportunities to create such a holistic approach were squandered.

Both BiH and Kosovo have recognised the importance of engagement with their neighbours and they have been encouraged in this by both NATO and the EU. It has helped that both in-country NATO HQs report to JFC Naples and thus there is a measure of similarity in how the key themes are dealt with, albeit the contexts are clearly very different. It is neither expected nor possible for NATO to become involved with all aspects of the security sector but, as both case studies have shown, there is clearly more scope for strengthening coordination among the various stakeholders. There is a danger, however, that other organisations (both international and national) might consider NATO was

pursuing a securitisation agenda, so it would be important that the Alliance deferred to others which had core competency in thematic areas such as police and judicial reform. As discussed in Chapter 2, the WGA[23] should be taken forward both within the host nation, as well as within NATO and others supporting reforms in the security sector. This should help prevent duplication and in managing the various interdependencies between the stakeholders and within the sector itself.

When planning for a new engagement, NATO should always attempt to take a holistic view of the security sector in a country and be clear who are the internal and external stakeholders. This does not mean that it should try to tackle every aspect of the sector, nor should it imply that it takes the lead in all areas. It should, however, endeavour to gain an awareness of all the various interdependencies. To that end, it is recommended that NATO should probably:

- Conduct a stakeholder analysis of the target country and its interdependencies.

- Adopt a WGA and encourage others to do the same.

- Identify programmes that would meet the security and justice needs of the people.

- Be prepared to coordinate SSR activities and be coordinated by others, where appropriate.

TECHNICAL ISSUES - SKILLS AND STRUCTURE

The analysis of both BiH and Kosovo has pointed to the need for specific capacity and structures within the in-country missions. So whilst the preceding

[23] The WGA is understood by most IGOs and donors, so is the preferred term to the NATO-centric 'Comprehensive Approach'. In practical terms the essential idea is the same.

sections have tended to focus on thematic areas, there is also a clear need to identify the structural lessons from NATO's deployments in the Western Balkans. The aim of this section is to examine these issues and identify those that could inform NATO's future engagements.

Both case studies appeared to indicate that there were difficulties with the military chain of command overseeing these types of engagement. In BiH this was overcome in part by maintaining a small politico-military team, which had direct access to the IS in Brussels. In Kosovo the NLAT and NAT came directly under the authority of the IS and, although they liaised with KFOR, they only used the in-country HQ for administration. JFC Naples did briefly have expertise in SSR but this was soon lost during one of the perennial cuts in military staffing levels. The first structural issue would therefore seem to be that NATO HQ Brussels should have a direct interface with the field mission of any future SSR engagement. The political nature of SSR demands a close relationship between Brussels and an advisory mission. Whether that means direct oversight, as in the case of the NLAT, or for the field mission to remain within the military chain of command but be able to access the IS directly, such as in the case of the politico-military team in NHQSa, is perhaps a moot point. Nonetheless, it is an issue that needs to be considered carefully.

The second issue is the perceived lack of continuity of the military personnel in NATO advisory teams assisting with the reform process in the Western Balkans. In BiH this was ameliorated to a large extent by the long-term presence of civilian staff in the politico-military team. Notwithstanding this continuity, there was still a degree of concern from the Deputy Commander of NHQSa[24] about the six-month rotation of his military advisers. In Kosovo Lieutenant General Kastrati[25] also highlighted the length of time it takes to orientate military advisers who only begin to add value as they end their six-month tours. Although a senior KFOR officer in the NLAT indicated that he did not believe that continuity was a problem, his lack of concern seemed to run

[24] Interview BH21-N.
[25] Interview K17.

counter to most informed opinion. As the advisors are in effect change agents, they need to be in post for sufficient time to understand the context, build relationships and trust, as well as delivering a consistency of approach to the person or organisation being advised. The evidence from the field research would seem to indicate that tours should be a minimum of one year and preferably two or three. This would have financial implications for NATO and the nations, as some personnel would undoubtedly want to deploy with their families, but it is a cost that would need to be borne.

The third issue that emerged from the analysis was the importance of collocating NATO advisors with the individuals they were advising. In BiH the migration of civilian and military staff to the MoD occurred in 2005 with its formation. In Kosovo the NAT were always based in the Ministry for KSF, but the MCAD were based in HQ KFOR in Film City. It was only with the formation of the NLAT in 2013 that collocation occurred. It would seem that a combination of longer tour lengths and collocation allowed closer relations to be established and a better degree of trust between the NATO staff and their partners.

Having stressed the primacy of the political dimension in SSR over the technical aspects, it is still worth pointing out the inherent technical complexity of such engagements and the need for certain key skill sets. For example, it was stressed in both case studies that NATO advisers had to have the appropriate skills to be credible to their host nation counterparts. NATO's Deputy Commander for the Western Balkans, Lieutenant General Pearson, and the KSF Commander, Lieutenant General Kastrati, both dew attention to this as an important issue. Unfortunately, evidence suggested that this was not always given the priority it deserved. NATO needs to be robust in demanding high standards from the troop contributing nations, or the Alliance will lose credibility and the potential soft power that it has on offer. Continuity and a clarity about the skills required for such advisers will be analysed further in the next section but it seems clear that technical expertise is a pre-requisite for such posts.

Furthermore, whilst it is inevitable that some of the military staff will not necessarily have the previous knowledge or understanding of the finer points of SSR or NATO's PfP programmes, NATO needs to provide appropriate training and education as part of the preparation of staff for the field mission. In certain specific areas, like outreach, NATO needs to provide experts in strategic communications, so that NATO's narrative reinforces the mission rather than undermining it, as happened in both BiH and Kosovo.

The final issue to be drawn from the case studies is that NATO needs to ensure that the structure of the field mission is designed to meet the needs of the country that the Alliance is supporting. This should be axiomatic but empirical evidence from Kosovo, where KFOR is still structured for a peacekeeping mission rather than an advisory one, would suggest otherwise. The advisory teams in both BiH and Kosovo have evolved into combined civilian and military teams and this seems to be optimal for these types of engagement. It reflects the political nature of SSR, as well as the diversity of skills required in advisory teams: many of these skills such as governance and development are not readily available in military staff.

In summary, a set of technical and structural factors are listed below that should be considered when designing a field mission to conduct an SSR engagement:

- Whether the field mission needs a direct interface with the IS;

- Specify that the tour lengths of staff should be a minimum of one year and preferably two or three years;

- Where possible collocate Advisors with the individuals they are advising;

- Ensure that Advisors are subject matter experts in their field;

- Plan to provide appropriate training and education as part of the preparation of staff for an SSR field mission; and,

- Depending upon the skillsets required, ensure that there is a balance of both civilian and military personnel in the Advisory teams.

CAPACITY BUILDING THROUGH NORM SETTING AND CONDITIONALITY

In this section it is proposed first to provide an institutional backdrop to norm setting and conditionality in order to sharpen the perspective, before then comparing the NATO support to capacity building in the two case studies.

As explained in Chapter 4, NATO has adapted from a 'threat-based' alliance at the end of the Cold War to a 'security management institution'. Looking through the lens of sociological institutionalism, "… NATO is designed to defend and expand an international community of (liberal democratic) states and to uphold and disseminate the constitutive values and norms." (Schimmelfennig 2015:93) This strengthening of countries though shared values and norms takes place due to a combination of political dialogue and engagement, as well as through the rationalisation and socialisation of norms. As Aybet and Bieber suggest:

> "Rationalisation refers to the cost–benefit analysis of the elites in the target state, who see that acquiring these norms will benefit their own political goals. Socialisation refers to the internalisation of the institution's norms by local elites; in a way the external norms become 'their' norms." (2011:1911)

The main practical mechanism that NATO uses to create this acceptance of norms is through the range of PfP programmes. These have been both powerful and successful drivers of reform. They are not, however, always available for some partners, either because they are not members of PfP or are not institutionally ready for more advanced reforms. Before BiH joined PfP, and became eligible for its programmes, it followed a Tailored Cooperation Plan (TCP) that assisted in its development and prepared it for the next step. There

then followed a progression of new programmes that it was offered when it was ready. It is not proposed to go through these meticulously but a list of them is at Appendix 11 and the progression is illustrated at Figure 4.1 in Chapter 4. BiH has been offered the final programme, the MAP, but the condition that it must complete on entity immovable property, has yet to be fulfilled. This conditionality has fallen prey to political manoeuvring by the RS and is symptomatic of domestic institutional wrangling in post-conflict countries. (Keohane & Nye 2012:248)

NATO support to capacity building in Kosovo has also experienced post-conflict obstacles. In the first instance, the continuation of UNSCR 1244 seems unduly intrusive for a country that has been recognised by some 112 other states. The NAT and NLAT still have a limited range of tasks they can perform, because of political barriers erected by the four non-recognising NATO members. This has led to a brake on progress to PfP and thus access to the full range of PfP programmes. Members of the KSF and its ministry seem ready to progress further and accept the norms implicit in those programmes. If NATO could offer a TCP or perhaps access to the DCB initiative, then further progress could be made.

It is perhaps worth using Schroeder's typology when considering the process of adopting norms and accepting conditionality. The discussion in the case studies focused on two different levels. Within the AFBiH and the KSF the adoption of NATO norms seemed to have come both with operational benefits, as well as governance benefits. In the wider security sectors and wider societies, there appeared to be many more 'normative shells' or 'ceremonial structures'. This would seem to indicate that NATO has achieved a degree of 'soft power' when it supports SSR. Given its experience in places like Afghanistan, where support has been 'train and equip' operational assistance, without a governance element, then progress with reform has been much more haphazard. (Pertusot 2009:37-38; Jackson 2010:1818-1820) Powell and DiMaggio (1991:199-200) warn that replicating practices from one socio-political

context to another holds dangers. Cultural differences as well as different interpretations of legitimacy can result in unforeseen outcomes, including hybrid acceptance of norms and thus incomplete or weak institutionalisation. Either way normative support can erode quickly. This might well be a lesson for NATO to ponder: does it continue to support capacity building with a governance element or is it content to forgo the governance aspect. The former is SSR and the latter is not.

A set of capacity building factors are listed below and should probably be considered when designing a field mission to conduct an SSR engagement:

- Have a clear understanding of the capacity gaps to be addressed (preferably using a framework of analysis, such as the development of an NSS);

- Identify and support country-owned sources of change and link to entry points for support though norm setting and conditionality;

- Assess whether a current NATO programme will address the need or whether collaboration with another IGO would meet the requirement, or whether a bespoke solution needs to be designed;

- Ensure that there is a match between capacity building at the environmental, organisational and individual level;

- Draw upon the four key programme enablers at Table 2.1 in Chapter 2 at the programmatic phase; and,

- Identify how and when M&E will occur, along with opportunities for the sharing of lessons and experiences.

The broad framework of factors for NATO to consider in future NATO SSR engagements would suggest that there has been much to learn from its

experience of supporting SSR in the Western Balkans. These are summarised again at Appendix 12. It is important to stress, however, that care needs to be taken in replicating practices from one socio-economic area to another. The key is therefore to use the factors as a model to be adjusted according to circumstances, and not applied rigidly as a template.

SUMMARY

This Chapter sought to conduct a comparative analysis of the cross-case data presented in the two Western Balkans case studies. The results would suggest that NATO's experience in supporting SSR in the Western Balkans has been successful, albeit some key limitations have been identified in its approach. Several of these limitations could be overcome if NATO was able to develop its own SSR policy and framework, which could then be used by policy and decision makers in Brussels, as well as in member states. In addition, further detailed operational guidance could then be provided for practitioners in the field on such areas as advising and mentoring, as well as guidelines for various aspects of SSR along the lines of those provided by ISSAT's OGNs. In combination these would not only offer clarity internally about what is and what is not SSR within the Alliance, but they would also offer clarity externally to other IGOs and partners. Furthermore, they would provide a consistency of approach to SSR with measurable standards of achievement.

There proved to be a considerable degree of commonality in the patterns and characteristics of the seven top-level areas that were analysed in the cross-case comparison but with some obvious contextual differences. It allowed the researcher to draw together a framework of generalised factors for each area of the analytical framework developed in Chapter 2 that point to lessons that could be used by NATO planning staff when considering potential SSR engagements. These are summarised at Appendix 12. Inevitably not all the lessons will be learnt, as domestic national agendas will continue to shape Alliance engagements and, ultimately, political circumstances will dictate the art of the

possible. Nonetheless, none of these points should undermine the validity of the lessons.

Having completed this second stage of analysis, the study now turns to the final chapter which contains the conclusions, policy recommendations and areas identified for further research.

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CHAPTER 8

CONCLUSIONS AND RECOMMENDATIONS

> "Institutional adaptation underpins NATO's political and military adaptation. The objective is an Alliance adaptable by design, where the capacity to anticipate, and react to, change is integral to how we operate."
>
> *NATO Communiqué* - Warsaw, 9 July 2016[1]

INTRODUCTION

This thesis has considered the theoretical and practical underpinning of SSR and NATO's role in its application within two countries of the Western Balkans: BiH and Kosovo. Unlike other security related IGOs, NATO does not have a formal policy for SSR, so the research generated an original analytical framework in order to analyse the Alliance's support to SSR in the Western Balkans. Through a combination of both primary and secondary research the study has established that, notwithstanding the lack of such a policy, NATO still managed to add considerable value to SSR processes in these countries and has the potential for doing so in the future elsewhere. This concluding chapter presents a summary of the research undertaken. This is followed by the conclusions drawn from the research and these lead in turn to recommendations for policy action and further research.

RESEARCH SUMMARY

The aim of the research was to undertake an analytical review of NATO's experience of supporting SSR in the Western Balkans (1995-2015) in order to inform its approaches to future and current SSR engagements. The underpinning objectives were then to: [1] examine critically the modalities and protocols associated with SSR (Chapter 2); [2] use models of academic theory

[1] See: NATO (2016c).

to analyse critically the role NATO has played in supporting SSR in the Western Balkans (Chapters 2-7); [3] understand where these engagements have worked and to identify the limitations of NATO's approach using a framework of SSR good practice (Chapters 5, 6 and 7); and [4] draw lessons from the experience of these interventions, which could be used to inform NATO's approach to current and future SSR engagements (Chapter 5, 6 and 7).

The study of NATO's experience in supporting SSR did not sit easily within current scholarly discourse and academic disciplines. The researcher's analysis, however, suggested that the study was broadly situated within the social sciences, primarily within political science, and more specifically within the sub-sets of IR and public policy. It also drew upon several inter-disciplinary fields but specifically the field of security studies. This then defined the core focus of the subsequent literature critique.

This critique in Chapter 2 followed the dominant theme of human security in the late 1990s and the recognition that insecurity was one of the root causes of poverty. This acceptance of a nexus between security and development allowed the two disciplines to become aligned more closely, both in practical and intellectual terms. It also unlocked thinking on improving governance, which became a central pillar of the nascent SSR concept. The vagueness of the early concept raised more questions than answers and that meant its path to full international acceptance was uneven. It was the pioneering work by the OECD that eventually brought coherence to the early definitional debate. Over time the EU, UN and OSCE all developed their own frameworks for SSR drawing upon the OECD for similar principles, similar definitions of the security sector, and similar characteristics of SSR.

NATO made one attempt to develop an SSR policy in the mid-2000s, but opposition from France, which argued then that SSR was within the EU's competence not NATO's, led to the draft policy being dropped. In the absence of such a policy the researcher therefore drew upon the definitions and

principles of the other SSR-relevant IGOs and constructed an analytical framework, which was then used throughout the thesis to analyse NATO's support to SSR. The framework contained seven key characteristics of SSR, which were analysed in depth in Chapter 2. These were as follows: the context of reform; political engagement; local ownership; governance; a holistic approach and cooperation; technical issues and skills; and capacity building through norm setting and conditionality.

Chapter 3 explained the methodological choices for the conduct of the research and the underpinning rationale for the choices that had been made. The position taken in this study was that SSR was a phenomenon. The ontological position was that it was socially constructed and was viewed in broadly subjective terms, which changed with time and context. The epistemological position was that SSR had subjective meanings, but it was reality within the individual contexts that provided acceptable knowledge, and thus able to inform NATO's future policy and future engagements. To that end the study followed a broadly interpretivist philosophy and an interpretive paradigm, through an inductive approach. A case study design was selected as the dominant method but with several sources of evidence in a multi-method manner. Two individual case studies (BiH and Kosovo) were selected with interviews being the main data gathering sub-method and document research and direct observation being the secondary sub-methods. A general research model based on the theory of institutionalism was used to analyse the data. Additional theories, typologies, and models, including the hermeneutic tradition, were used to gain additional insights.

An overview of NATO's evolution was presented in Chapter 4. This included a view through an institutional lens in order to understand why adopting an SSR framework was not welcomed by NATO as a common-sense policy response to the challenge of insecurity in partner countries. There was no clear elucidation to this paradox. What was clear, however, was that NATO had proved itself to be a highly institutionalised and adaptive actor on the world stage, with

considerable normative and mimetic appeal. At the heart of this appeal were the shared and common values espoused in the Preamble to the Washington Treaty. Several of the Alliance's current operations and missions had evolved into some form of security cooperation and, in many cases, support to SSR. NATO's success had often been founded on supporting PfP programmes in regions such as the CEE, and the research suggested that a clear SSR framework and policy would further assist NATO in managing risks both within and at the boundaries of the Euro-Atlantic area in future SSR engagements.

The first stage of the main analysis in this thesis was conducted in the two case studies. Chapter 5 showed that the historical context and the legacy of the conflict in BiH continue to be powerful shapers of the country and its security sector. Although there was general agreement that the DPA had been successful in bringing an end to the physical conflict, at the same time it imposed significant barriers to BiH becoming a fully functioning state. NATO played a major role in the stabilisation of the country at the end of the war, but it was the arrival of Lord Ashdown and the formation of the DRCs that forged initial progress in reform of the security sector. Since then, defence and SSR had been core elements of the cooperation between NATO and BiH. These had been conducted through a range of PfP programmes which had been both powerful and successful drivers of reform. NHQSa had a small civilian political-military team, which advised mainly on the conceptual and wider reforms necessary to implement the PfP programmes including PARP. Although the tools of PfP had a set framework, they were individually tailored to BiH, and allowed the MoD and AFBiH to continue progressing at a pace dictated by the needs and desires of local actors.

Since 2006 this pace had slowed considerably due to a lack of a domestic consensus over BiH statehood. Interviews with both local and international actors suggested that whilst there had been continuing progress with elements of governance, there were still too many examples of 'ceremonial structures' and 'soft accountability'. The technical support provided by NATO was

considered sound, although it was clear that the expertise in SSR and the local knowledge evident in the civilian political-military team was far superior to that of the military staff, who were mainly on short tours of duty and did not necessarily have an appropriate level of training and understanding of SSR. Strategic communications had also proved a challenge for NATO. There had been some clumsy attempts at 'selling' the Alliance within BiH that lacked both contextual sensitivity as well as skill in delivering a coherent narrative. Furthermore, it was clear that engagement in such a highly political issue as SSR needed more active engagement from the Alliance as well as more attention paid to the training of its personnel.

The analysis of Kosovo in Chapter 6 followed the same broad structure as that for BiH. It was established that NATO's role in hard security issues, from disarming the KLA to stabilising the country, was considered successful by all interviewees and nearly all scholarly references. It was less successful, however, over the passage of time as its emphasis moved to softer security issues. A combination of the lack of an agreed 'final status' for Kosovo, a UNSCR that had no end date, and an inherent climate of insecurity led to institutional and political stalemate. It was only with UNOSEK's attempt to resolve the impasse over 'final status' that the Alliance became more actively seized with helping design a new security sector for Kosovo and a force to replace the KPC. Although UNOSEK's 'Comprehensive Proposals for Kosovo' document was blocked in the UN Security Council, NATO was still able to assist Kosovo through a set of 'new tasks' when the country unilaterally declared independence in 2008. After that date, however, SSR support had been hampered by the four members of NATO which had not recognised the country's independence for their own internal political reasons.

A review of NATO documents showed that the current KFOR mission was still constrained to a peacekeeping mission. Research indicated that this mission had little relevance to the SSR support that was the main aim of the 'new tasks' and that KFOR would be better served by a new SSR-focused advisory

mission. Not only would this allow its numbers to be reduced to a more sustainable level but it could also allow the Alliance to offer Kosovo the full range of PfP programmes with its attendant support to governance and capacity building across the security sector. Interpretation of some measured criticism of KFOR, as well as evidence from the analytical framework, supported the idea of better training and longer tour lengths for advisors if KFOR was to provide the requisite expertise and contextual understanding to optimise the leverage of its role in norm setting and capacity building. Similarly, institutional analysis suggested that a risk averse approach by successive KFOR Commanders could be mitigated by greater political engagement from NATO HQ Brussels and this could include the appointment of an in-country SCR.

The comparative analysis of the two case studies was presented in Chapter 7 and sought to compare cross-case data collected in the previous two chapters in an explicit manner. This was the second stage of the main analysis and used the same broad analytical framework developed in Chapter 2, albeit with slight changes in emphasis in their respective titles. Notwithstanding some obvious contextual differences, there proved to be a considerable degree of commonality in the patterns and characteristics of the seven top-level areas of the analytical framework. This allowed the researcher to draw together a list of generalised factors for each area of the framework that could be used by NATO planning staff to inform their thinking when considering potential SSR engagements. These are summarised at Appendix 12 and point to the lessons identified by the research.

CONCLUSIONS

The overarching conclusion drawn from the research is that NATO added considerable value to the reform processes in the security sectors of the two countries studied, and in addition the analytical framework highlighted lessons that could be drawn to inform its approaches to current and future SSR

engagements. In so doing, the research met both the research aim and the underpinning objectives.

More generally, the research has reinforced the reality that different actors with different agendas will inevitably complicate and often limit NATO's approach in the challenging contexts of post-conflict and post-authoritarian countries. It also became evident that national agendas within the North Atlantic Council influenced the Alliance's ability to support SSR in the two countries studied.

This now leads to ten more focussed conclusions with attendant policy recommendations and suggestions for further research.

Conclusion 1: NATO has proved itself to be a highly institutionalised and adaptive actor on the world stage, with considerable normative and mimetic appeal.

Notwithstanding the predictions of NATO's imminent demise over the years from both the media and particularly the theorists of the realist tradition at the end of the Cold War, NATO has proved itself to be a resilient and adaptive institution. It has survived longer than any previous such treaty and is still regarded as the world's leading security Alliance. (p174) It has also transformed from a 'threat-based' alliance to a 'security management institution' that is designed to defend and expand an international community of democratic states and to uphold and disseminate the values and norms. (p149, p375) This was particularly evident during the reforms in CEE of the late 1990s (pp174-175), as well as to a lesser extent in the case study countries. (p248, p345) A desire for partnership with NATO has been highly influential in setting democratic norms of behaviour and structure for countries to meet, as well as the explicit political conditionality that is on offer through membership of the Alliance. (p175)

Conclusion 2: The success of NATO's assistance to SSR in the post-authoritarian countries of the CEE has not been replicated to the same extent in the two post-conflict case studies.

The success of the reforms in CEE occurred through a combination of intensive political dialogue and engagement by NATO, as well as through the rationalisation and socialisation of democratic norms. (p98) This political engagement was an essential pre-cursor for the latter and was not always evident in either BiH (pp227-230) or Kosovo. (pp331-332) Furthermore, the internalisation of democratic norms by both the political elite and the people in CEE occurred because there was a consensus that both wanted membership of NATO. (p98) This has not been the case in BiH where there is a lack of internal consensus over a unitary state. (pp243-244) Whilst Kosovo has a consensus over NATO membership, the residual uncertainties created by UNSCR 1244 and the lack of access to PfP programmes have led to many 'normative shells' and 'ceremonial structures' in its governance frameworks. (pp376-377)

Conclusion 3: NATO's PfP programmes have been powerful and successful drivers of reform.

Both scholarly discourse (pp157-158, pp160-166) and the research conducted in BiH (p231, p241) have clearly demonstrated the inherent value of PfP and the range of PfP programmes in driving the reform process. Even in Kosovo where the lack of PfP membership has limited access to set programmes and thus progress in reform (p337, pp341-342, p376), NATO HQ Brussels has drawn upon elements of SSR good practice to move from directing security institutions to advising them. (p334) Ultimately, however, it has been the governance aspect of the PfP programmes that has been the key to their efficacy in supporting SSR. (pp366-368)

Conclusion 4: NATO's experience in supporting reform in conflict affected countries has tended to be 'train and equip' programmes, which have included little or no governance elements.

As Conclusion 3 has already suggested, governance is a key element of effective SSR. (pp366-368) Results from the conflicted affected countries, such as Afghanistan for example, have demonstrated that the focus proved to be on the 'hardware' of security and improving the operational effectiveness of armed forces and police, rather than on the drivers of conflict or the quality of governance and accountability. (pp100-101) Much of the assistance could fall under the rubric of SSR but, without a NATO policy or framework for SSR, there is little clarity about what it would entail and what it would not. (p153) It is in the hands of NATO member states to make decisions on what type of assistance to offer partner countries, but they should be clear that 'train and equip' programmes at the expense of governance are not SSR and thus outcomes are likely to be much more uncertain. (p377)

Conclusion 5: NATO's experience of supporting SSR in the Western Balkans was successful but could have been improved if it had developed its own SSR policy and framework.

The research suggested that although NATO's experience in supporting SSR in the Western Balkans was successful, not least due to specific PfP programmes, there were some key limitations. Several of these limitations could be overcome, however, if NATO was able to develop its own SSR policy and framework, which could then be used by policy and decision makers in Brussels, as well as in member states. In addition, further detailed operational guidance could then be provided for practitioners in the field on such areas as advising and mentoring, as well as guidelines for various aspects of SSR along the lines of those provided by ISSAT's OGNs. In combination these would not only offer clarity internally within the Alliance about what is and what is not SSR, but they would also offer clarity externally to other IGOs and partners.

Furthermore, they would provide a consistency of approach to SSR with measurable standards of achievement. (p378, also pp92-94, pp175-176)

Conclusion 6: NATO's political engagement in the Western Balkans has been weak during the latter part of the period under study.

The importance of politics and political engagement to the implementation of SSR is well recognised. (p75) Inevitably NATO's political involvement in the Western Balkans was intense during its various military interventions but this waned over time, with attention focused on other missions such as Iraq and Afghanistan. (p325) Research showed that during the latter part of the period under study political engagement in BiH and Kosovo has lacked sensitivity and nuance, as well as engagement at an appropriately high level. (pp229-231, pp361-362) Efforts were further undermined by both poor strategic communications (pp244-245, pp311-312) and a lack of recognition by in-theatre military commanders of the political dimension to their roles. (p361) The appointment of a NATO Senior Civilian Representative with Ambassadorial rank to either the Western Balkans region or to individual countries would seem to be a possible solution to this issue, although it has to be acknowledged that this might create different sensitivities within the military chain of command. (p331, p351)

Conclusion 7: KFOR's current peacekeeping mission is out-of-date and no longer matches the demands of the 2008 'new tasks' or the needs of an independent Kosovo.

NATO should ensure that the structure of a field mission is designed to meet its own needs as well as the needs of the country that the Alliance is supporting. This should be axiomatic but empirical evidence from Kosovo, where KFOR is still structured for a peacekeeping mission rather than an advisory one, would suggest otherwise. (p319, pp334-335, p374) A change to an advisory mission would not only better match the spirit of the 'new tasks' but it would be entirely

consistent with NATO's approach in both BiH and Macedonia, where there has been a natural transformation from the original tactical operation to a mission that provides advice on defence reform and SSR to their respective host nations. (pp343-344)

Conclusion 8: The SSR support that NATO HQ Brussels and KFOR can offer Kosovo would appear to be at its limit and could only be improved by the offer of a TCP or, better still, PfP membership and thus access to the full range of PfP programmes.

HQ NATO Brussels and KFOR have supported the development of a narrow area of the security sector in Kosovo for a number of years, but there is little doubt that NATO is currently adopting a holding pattern rather than encouraging Kosovo towards a situation where it takes on more responsibility for security. (p319) NATO's partnership programmes cover much more of the security sector, including the Ministry of Interior and the Ministry of Finance, and focuses on governance across the spectrum of government. By allowing the whole of the Kosovo security sector to engage in these programmes, it would not only be of practical benefit to the country, but it could also help build better local ownership. (p346) Thus offering a TCP to Kosovo, and then membership of PfP, combined with assistance through a new, smaller advisory mission would seem to be a much more stable option for both Kosovo and the Region. (p319, p358, p367, p376)

Conclusion 9: NATO SSR advisors are important change agents and therefore require contextual experience, knowledge about SSR and a high-level of interpersonal skills if they are to achieve a measure of success.

SSR advisors are change agents and thus they require a broad-range of multi-disciplinary skills from political to technical. As ever, the precise skills will depend upon need and circumstance and should normally be ascertained

through a rigorous analysis prior to an SSR intervention. (p92) Advisors should also be in post for sufficient time to understand the context, build relationships and trust, as well as to deliver a consistency of approach to the person or organisation being advised. The evidence from the research would seem to indicate that tours should be a minimum of one year and preferably two or three. (pp373-374, also pp342-343) The advisory teams in both BiH and Kosovo have evolved into combined civilian and military teams and this seems to be optimal for these types of engagement. It reflects the political nature of SSR, as well as the diversity of skills required in advisory teams: many of these skills such as governance and development are not readily available in military staff. In addition, NATO should provide appropriate training and education as part of the preparation of staff for field missions. (pp373-374, also pp94-95, pp239-241) Finally, a NATO SSR policy and framework would also greatly assist in shaping training standards for advisors as well as providing them with a *vade mecum*. (p248)

Conclusion 10: The analysis of NATO's experience in supporting SSR in the Western Balkans has allowed the researcher to develop a 'Framework of Generalised Factors' that could be used by NATO to inform its approach to current and future SSR engagements.

Analysing where NATO's approach to supporting SSR has worked and where it has not in the Western Balkans has provided a much clearer understanding of the reform issues. This has allowed the researcher to draw together a list of generalised factors for each area of the sections of the analytical framework that could then be used by NATO planning staff to inform their thinking when considering current and future SSR engagements. These are summarised at Appendix 12 and point to the lessons identified by the research. It is important to stress that these factors are not a training manual directing how to support SSR but a series of issues that should be considered in the appropriate contextual setting and which require reasoned judgement. Cultural differences as well as different interpretations of legitimacy can result in different outcomes,

including hybrid acceptance of norms and thus incomplete or weak institutionalisation. Even when beneficiary states ostensibly accept normative values, they are likely to be ‘normative shells’ or ‘ceremonial structures’ at best. Either way normative support can erode quickly, and the sustainability of reforms can then become questionable. The key is therefore to use the factors as a model to be adjusted according to circumstances, and not applied rigidly as a template. (pp377-378)

POLICY RECOMMENDATIONS

The policy recommendations are derived from the principal conclusions above and include some additional explanation on their policy relevance and value. They are as follows:

Recommendation 1: **It is recommended that both NATO and individual member states always consider governance issues when deciding upon assistance for partner countries.**

As explicated in Conclusions 3 and 4 the inclusion of governance is a key element of effective SSR. ‘Train and equip’ assistance programmes that have little or no governance strands are not SSR and their outcomes are therefore more uncertain. It may be that such operational assistance is acceptable to NATO and Alliance members for certain contextual or operational reasons, but the decision to proceed down this path should be made explicitly and not by default.

Recommendation 2: It is recommended that NATO develop its own strategic level SSR policy and framework, and complement them with detailed operational guidelines on SSR for use in the field.

Conclusion 3 showed that NATO’s range of PfP programmes has proved invaluable in supporting SSR, but research has indicated that its success in the

Western Balkans has come with some key limitations. Conclusion 6 then explained that these limitations could be overcome if NATO were to develop its own SSR policy and framework, which would offer clarity on NATO's approach internally within the Alliance, as well as externally to other SSR-related IGOs and partner countries.

Recommendation 3: It is recommended that NATO strengthen its political engagement in the Western Balkans through a combination of higher-level political representation and improved strategic communications.

In line with Conclusion 6, there would seem to be three broad options open to NATO for strengthening its political engagement in the Western Balkans. First, it could adopt a regional approach and nominate one of its DASGs to undertake an overarching link role between NATO HQ Brussels and both in-theatre military commanders and respective host nations. Second, it could appoint an ambassadorial level SCR to individual countries in the Western Balkans, where such appointments would add value, such as BiH and Kosovo. Third, it could make the in-theatre's role explicitly more political and include a direct link to NATO HQ Brussels. The latter two options might create sensitivities within the military chain of command, although there have been precedents for such arrangements. All three options should create a deeper sense of political engagement between NATO and the host countries' governments, which would need to be reinforced by a pro-active and nuanced strategic communications strategy.

Recommendation 4: It is recommended that KFOR's mission is changed from peacekeeping to advisory support with SSR as its core.

The 1999 peacekeeping mandate of UNSCR 1244 has no end date and there seems little chance of it being overhauled whilst the Russian Federation has a seat in the UNSC. The detail of KFOR's mission is, however, in the hands of the NATO members. The four non-recognisers of Kosovo's independence

agreed to the establishment of KFOR's 'new tasks' in 2008 but no further changes. This political impasse needs to be resolved soon if Kosovo is to make further progress with its reforms. As Conclusion 7 explained, a change to an advisory mission would better match the spirit of the 'new tasks' and allow the mission to be restructured to a smaller, more appropriate number of troops. It would also be entirely consistent with NATO's approach in both BiH and Macedonia, where there has been a natural transformation from the original tactical operation to a mission that provides advice on defence reform and SSR to their respective host nations. The key, however, would be for NATO and its more powerful members to bring political pressure to bear on the non-recognising countries to agree the change.

Recommendation 5: It is recommended that NATO offer Kosovo a TCP immediately and then PfP membership as soon as it can be agreed in the NAC.

As Conclusion 8 explained, NATO HQ Brussels and KFOR's current SSR support to Kosovo would appear to have reached its limit and could only be improved through a TCP and then the full range of PfP programmes. The political ramifications of offering a TCP would be relatively small and could be agreed by NATO members without any loss of political capital by the four non-recognising countries. The PfP membership and access to the full range of PfP programmes would have a much more significant impact on reforms across the spectrum of the Kosovo government, so it is the more important step. The offer of PfP membership would therefore probably need to follow on from the change of KFOR's mission to an advisory one (Recommendation 4). Once the non-recognisers have accepted that change, it would only be logical to offer Kosovo PfP membership as has happened to every other country in the Western Balkans. Nonetheless, research has indicated that such a step would require active lobbying and political pressure from countries such as the US, UK, France and Germany on the non-recognisers.

Recommendation 6: It is recommended that NATO select, train, educate and employ specialist SSR advisors in order to ensure that its support to SSR has the best chance of success.

The SSR role is unlike any other within NATO. Research has shown that NATO's SSR advisors are in effect change agents, which dictates that they possess a broad range of skillsets. Conclusion 9 argues that they need to be in post for sufficient time to understand the country context, build personal relationships and trust, as well as delivering a consistency of approach to the person or organisation being advised. Advisory teams in both BiH and Kosovo have evolved into combined civilian and military teams and this seems to be optimal for these types of engagement. It reflects the political nature of SSR, as well as the diversity of skills required in advisory teams: many of these skills such as governance and development are not readily available in military staff, so civilian staff will often need to fill these types of posts. Some interviewees for the research were quite critical about the lack of expertise of some military advisors. NATO should therefore be robust with troop contributing nations in demanding high-quality individuals and then provide appropriate training and education as part of the preparation of staff for field missions and thus capitalise on the 'soft power' it has on offer.

Recommendation 7: It is recommended that NATO adopt the 'Framework of Generalised Factors' at Appendix 12 and use it as a planning tool when considering current and future SSR engagements.

The generalised factors point to the lessons identified by the research and have been produced to be a framework for guided thinking and to ensure that all key issues are at least considered. It does not absolve planners from thinking or using their judgement. Conclusion 10 highlights the requirement to use the factors as a model to be adjusted according to circumstances, in the same way that surgeons and pilots use such checklists as models and not as templates.

In due course the generalised factors could be incorporated into NATO's SSR policy and framework.

PROPOSALS FOR FUTURE RESEARCH

This section addresses recommendations for further research. As a practitioner, as well as an academic analyst, the researcher feels justified in offering a series of recommendations which emerge explicitly from the evidence gathered. It is recommended that further research be conducted in three related areas.

Research Proposal 1: To what extent can NATO's experience of supporting SSR in the Western Balkans be compared with that in Ukraine and Georgia?

This study considered just two case studies in one geographical area. An inductive approach could always withstand the study of more cases and a broader geographical spread. Whilst the empirical evidence would suggest that generalisable conclusions can be drawn from the two case studies, more research is needed in countries such as Georgia and Ukraine, which have a starkly different historical and political context. Both countries are already being prepared for the MAP programme, but their geographical location, in what the Russians call their 'near abroad', presents an entirely different set of circumstances to either BiH or Kosovo. The product of this suggested research would allow the research in this field to be more 'complete' and potentially reinforce and improve the richness of the findings of this thesis. (p123, p125, p356)

Research Proposal 2: To what extent can the orthodox model of SSR described in the *OECD SSR Handbook* be successful whilst a conflict is still underway?

The literature suggests that providing support to a country's SSR in relatively benign environments is an entirely different proposition to supporting SSR 'under fire'. This study has concentrated on countries in the Euro-Atlantic region, where there is a realistic prospect of membership of the NATO alliance. A review of the literature surrounding interventions by NTM-I and NTM-A suggests a completely different and more hostile context, which in turn created a multiplicity of processes and a different level of complexity. (pp101-102)

Research Proposal 3: To what extent can the orthodox model of SSR described in the *OECD SSR Handbook* be successful in a culture and context outside the Euro-Atlantic region?

The literature suggests that replicating practices from one socio-political context to another holds uncertainty. Scholars reinforce this point when they pose the key question of how effective can an OECD model be in a culture and context that is so far removed from the "OECD-world"? This subject would seem a fertile ground for further research. (p16, p99, pp101-102, pp124-125, p155)

The quotation at the start of this Chapter provides a vision for NATO as an adaptive organisation by design. As the Alliance becomes more deeply involved in projecting stability through SSR support after a decade of war fighting, these policy recommendations and research proposals could have wider significance.

APPENDIX 1

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